



Planning Commission Regular Agenda

COUNCIL CHAMBERS

JUNE 2, 2011

7:00 P.M.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES: February 3, 2011 Public Hearing

IV. WITHDRAWALS AND CONTINUANCES

1. **CUP10-07:** A request by J & D Accounting and Tax Service, representing Village 67, to approve a Conditional Use Permit to allow live entertainment in the C-2 (General Commercial) zoning district. The site is located approximately 200 feet south of the southeast corner of 67th Avenue and Bethany Home Road (5821 North 67th Avenue). Staff Contact: Karen Stovall, Senior Planner (Yucca District).

V. PUBLIC HEARING ITEM

2. **ZTA09-01:** A request by the City of Glendale Planning Commission to amend Article 1 Purpose and Applicability, Article 2 Definitions and Rules of Construction, Article 2 Administration, Article 5 Zoning Districts and Boundaries, Article 6 Overlay District Regulations, and Article 7 General Development Standards. The proposed changes, if adopted, would amend sections of the zoning code pertaining to Freeway Billboard Signs, Cell Towers, Expanded Notice Requirements, Ham Radio Towers, No Smoking Areas, Variance Requirements, and Color Changes. Staff Contact: Thomas Ritz, AICP, Senior Planner (City-Wide).
3. **ZON11-02:** A request by K. Hovnanian Homes, representing Sage Luxury Homes, to amend the development standards of the existing The Reserve at Eagle Heights PAD (Planned Area Development), as approved in ZON05-06. The site is located at the northwest corner of 75th Avenue and Rose Garden Lane (7574 West Rose Garden Lane). Staff Contact: Karen Stovall, Senior Planner (Cholla District).

VI. OTHER BUSINESS

4. **FISCAL YEAR 2011-2012 OF THE FISCAL YEAR 2012-2021 PRELIMINARY CAPITAL IMPROVEMENT PLAN:** To determine if the Fiscal Year 2011-2012 (FY12) of the Fiscal Year 2012-2021 (FY21) Preliminary Capital Improvement Plan (CIP) conforms to the General Plan. Staff Contact: Thomas Ritz, AICP, Senior Planner (Citywide).

VII. OTHER BUSINESS FROM THE FLOOR

VIII. PLANNING STAFF REPORT

IX. COMMISSION COMMENTS AND SUGGESTIONS

X. NEXT MEETING: July 7, 2011

XI. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS



Please contact Diana Figueroa at (623) 930-2808 or dfigueroa@glendaleaz.com at least three working days prior to the meeting if you require special accommodations due to a disability. Hearing impaired persons should call (623) 930-2197.

After 5:00 p.m. on Monday, prior to the meeting, staff reports for the above referenced cases will be available online at <http://www.glendaleaz.com/planning/boardsandcommissions.cfm>. If after reviewing the material you require further assistance, please call the staff contact listed for each application at (623) 930-2800.

In accordance with [Title 38](#) of the Arizona Revised Statute (A.R.S.), upon a public majority vote of a quorum of the Planning Commission, the Commission may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purpose:

- (i) discussion or consideration of records exempt by law from public inspection (A.R.S. § 38-431.03(A)(2));
- (ii) discussion or consultation for legal advice with the city's attorneys (A.R.S. § 38-431.03(A)(3)); or
- (iii) discussion of consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. § 38-431.03(A)(4)).

Confidentiality Requirements Pursuant to A.R.S. § 38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. § 38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the Planning Commission, or as otherwise ordered by a court of competent jurisdiction.

**MINUTES
CITY OF GLENDALE PLANNING COMMISSION**

**CITY COUNCIL CHAMBERS
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301**

**THURSDAY, FEBRUARY 3, 2011
7:00 P.M.**

CALL TO ORDER

The meeting was called to order at approximately 7:00pm.

Commissioners Present: Chairperson Kolodziej (Yucca), Vice Chairperson Spitzer (Barrel), Commissioner Petrone (Cholla), Commissioner Sherwood (Sahuaro), Commissioner Shaffer (Cactus), and Commissioner Larson (Mayoral)

City Staff Present: Tabitha Perry, Principal Planner, Deborah Mazoyer, Assistant Deputy City Manager, Deborah Robberson, Deputy City Attorney, Bill Luttrell, Senior Planner, and Diana Figueroa, Recording Secretary.

APPROVAL OF MINUTES

Chairperson Kolodziej called for a motion to approve the Meeting Minutes of the January 20, 2011, workshop and public hearing. All minutes were approved as written.

WITHDRAWALS AND CONTINUANCES

Chairperson Kolodziej called for any withdrawals and/or continuances. Ms. Perry stated there were none.

PUBLIC HEARING ITEMS

Chairperson Kolodziej introduced the public hearing item. He called staff's presentation.

PP10-01:

A request by Hoskin-Ryan Consultants, Inc., representing DR Horton, Inc., to approve a preliminary plat titled Maryland Heights to allow a 34 lot residential subdivision for detached single family homes on approximately 9.86 acres. The site is located at the northeast corner of 79th and Maryland Avenues (6550 North 79th Avenue). Staff Contact: Bill Luttrell, Senior Planner (Yucca District).

Mr. Bill Luttrell, Senior Planner, presented this item. Mr. Luttrell stated approval of this request would allow a 34 lot residential subdivision for detached single family homes on approximately 9.86 acres, with a density of 3.45 dwelling units per acre. He explained the minimum lot size is 6,600 square feet, the maximum is 14,259 square feet and the average lot size is 7,677 square feet.

He said the development plan includes 1.92 acres of common open space or 19% of the total size which is more than what was previously approved at 1.2 acres or 12% of the total site. The amenities will include benches, seating, and trails, as well as a sidewalk connecting the project to the park, school and open space along 79th Avenue. Mr. Luttrell explained vehicular access into the subdivision is provided from 79th Avenue, which is classified as a collector street. He said per the city's request, a cul-de-sac shall be constructed at the end of Maryland Avenue located at the southwest corner of the subdivision to avoid additional street traffic. There will not be any vehicular access into Maryland Heights from this location.

There are two storm water retention tracts within the project. Tract "A" is located in the center of the subdivision and Tract "b" is located at the southwest corner of the subdivision.

Mr. Luttrell said the applicant held a neighborhood meeting on November 17, 2010 where 301 property owners and interested parties were notified. The Planning Department has received two inquiries or responses; one in favor and one in opposition.

In conclusion, Mr. Luttrell stated the preliminary plat should be approved subject to the four stipulations noted in the staff report. He asked the Commission if they had any questions.

Chairperson Kolodziej called for questions from the Commission.

With no questions of staff, Chairperson Kolodziej called for the applicant's presentation.

Ms. Holly James, DR Horton, and Mr. Matthew Mancini, Hoskin-Ryan Associates, introduced themselves. Mr. Mancini stated they are planning a gracious open of open space and stated he is available for questions.

Chairperson Kolodziej asked for questions from the Commission.

Commissioner Larson asked for information regarding the size of the homes. Ms. James stated the house size has not been determined; however, they are anticipating sizes to begin at 1,400 square feet up to 2,200 square feet, which are similar to the nearby houses.

Commissioner Spitzer asked if solar panels would be included as standard. Ms. James said no, although there will be 'green' options available, however, solar panels would not be standard in this subdivision.

Commissioner Spitzer asked what if the costs of the proposed homes are similar to the cost of homes in the surrounding neighborhood. Ms. James explained there are market studies that take place in order to determine the home prices.

Commissioner Spitzer asked if there would be a Homeowners' Association. Ms. James said yes, although it has not yet been formed.

In response to a question from Commissioner Petrone, Ms. James stated that all common area improvements would be completed prior to the sale of homes. At 75% occupancy, control of the HOA would be turned over to the residents.

Commissioner Sherwood commended the applicant for restricting fourteen lots along the east and west side to single story homes. Ms. James added there are only two two-story house products being offered and five single story houses being offered.

With no one in the audience wishing to speak, Chairperson Kolodziej closed the public hearing.

Chairperson Kolodziej called for the motion.

Commissioner Sherwood made a motion to approve PP10-01, subject to the stipulations included in the staff report. Commissioner Larson seconded the motion. The motion was approved 6 to 0.

Ms. Deborah Robberson, Deputy City Attorney, stated this is final approval appealable to the City Council.

OTHER BUSINESS FROM THE FLOOR

Chairperson Kolodziej called for Other Business from the Floor. No one in the audience wished to speak.

PLANNING STAFF REPORT

Ms. Perry asked the Commission to vacate the March 3, 2011, workshop and public hearing as there are no items.

Commissioner Shaffer made a motion to vacate the March 3, 2011, workshop and public hearing. Commissioner Larson seconded the motion, which was approved unanimously.

COMMISSION COMMENTS AND SUGGESTIONS

Chairperson Kolodziej called for Commission comments and suggestions. There was none.

The next meeting is scheduled for April 7, 2011.

ADJOURNMENT

With no further business, the meeting adjourned at 7:15pm.

Respectfully submitted,

Diana Figueroa, Recording Secretary



Planning Department Staff Report

DATE: June 2, 2011

AGENDA ITEM:

2

TO: Planning Commission

FROM: Tabitha Perry, Principal Planner

PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **ZONING ORDINANCE TEXT AMENDMENT ZTA09-01:
ZONING ORDINANCE UPDATE – CITYWIDE**

REQUEST: A request by the City of Glendale Planning Department to amend Zoning Ordinance to address specific items.

REQUIRED ACTION: The Planning Commission must conduct a public hearing and determine if this request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDATION: The Planning Commission should recommend approval.

PROPOSED MOTION: Move to recommend approval of ZTA09-01.

SUMMARY: This is a request to amend the Zoning Ordinance. This is a focused amendment, proposing changes to specific items as follows:

1. Freeway Billboard Signs
2. Wireless Communications Facilities
3. Expanded Public Notice Requirements
4. Designated Smoking Areas
5. Variance Requirements
6. Exterior Color Changes

COMMISSION ACTION: Motion made by Commissioner _____ to recommend approval. Motion seconded by Commissioner _____. The motion was approved ____ to ____.

DETAILS OF REQUEST:

The proposed changes will result in the amendment of the zoning ordinance to address six issues of particular interest to address issues of significance.

- **Freeway Billboard Signs:** Following concerns that freeway billboard signs were permitted only on land owned by the city, and as part of a lease agreement with the city, staff is proposing to permit Freeway Billboard Signs along the city's freeways and future Parkway. This new type of sign will match the height, size, and frequency of message change on the existing freeway signs. Staff is proposing criteria including that these be permitted only in the Planned Area Development (PAD) zoning district where development has already occurred. To insure the continued viability of Luke Air Force Base, staff is proposing that prior to the installation of any new sign, the Base shall agree that the placement of these 80 foot high signs will not impact the continued operation of the base.
- **Wireless Communication Facilities:** Following concerns that cell towers require a Conditional Use Permit, staff is proposing to remove the requirement that Monopoles, Monopines, and Monocactus be allowed by right when the proposed location is more than 150-200 feet from residential zoned property or a residential property.
- **Expanded Public Notice Requirements:** Responding to the desire that the notice area for planning cases is increased, staff is proposing that the required notice area be increased from 300 to 500 feet for General Plan, Rezonings, and Conditional Use Permits Applications.
- **Designated Smoking Areas:** In response to the concern expressed about large employment campuses in Glendale no longer allowing employees to smoke on site which has caused employees to linger into the surrounding neighborhoods, staff is proposing through amending the Design Review process that facilities that identify and provide for designated smoking areas on their properties.
- **Variance Requirements:** In preparing the final ordinance which previously amended the variance requirements to remove City Council from the Variance appeal process; several other sections of the code concerning variances were inadvertently removed. Staff now proposes to restore these sections to the code. Matching a recently granted Variance, staff is proposing to amend the section concerning permitted permanent sign in office districts to permit monument signs which are higher and have more tenant names.
- **Exterior Color Changes:** Responding to concerns about the lack of review for repainting buildings a new color which contrasted with existing businesses, staff is proposing that Exterior Color Changes be added to the items which are reviewed as part of the Design Review Process.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Plan:

On May 14, 2009, notification letters were mailed to the citywide interested parties list. The Planning Department did not receive any response regarding the request. The Citizen Participation Final Report is attached.

Stakeholder's Meetings:

A total of six meetings were held with various stakeholder groups as identified by the Planning Department. Meetings were held in January and February 2009. From these meetings, an email list was developed and those on the list were notified when updates to the text amendment were available for comments. Several of the stakeholders did participate and provided comments. All of the comments received as part of the updates are available for viewing at the Planning Department. Overall, the responses to the changes were positive. The Homebuilders Association of Central Arizona reviewed the ZTA and had no comments or requests. The Arizona Multi-Housing Association reviewed the ZTA and made recommendations on signage. Valley Partnership reviewed the ZTA and found it to be well organized and thought out. The Arizona Wireless Association reviewed the ZTA and made recommendations.

Planning Commission Public Hearing:

A Notice of Public Hearing was published in *The Glendale Star* on May 12, 2011. Notification postcards of the public hearing were mailed to the citywide interested parties on May 12, 2011. An email notice of the public hearing was emailed to all stakeholders who have participated in the process on May 16, 2011.

STAFF FINDINGS AND ANALYSIS:

Findings:

- The Zoning Ordinance Update is a focused amendment, proposing changes to specific items.
- The proposed zoning ordinance amendments will address these issues of significance and demonstrate staff's responsiveness to the issues raised.

Analysis:

- The proposal is responsive to items of significance including expanded notice area and continued protection of residential neighborhoods from flashing signs.
- By providing a new section concerning Freeway Billboard Signs, the current section that addresses billboards will remain unchanged.
- The new section of Freeway Billboard Signs ensures that proposed site locations have demonstrated a significant existing investment in the community, and prevent placement on small sites which could negatively impact neighboring residential areas.
- In addition to the stakeholder groups as noted above, an internal departmental review team was established to discuss changes to the document. Departments represented

included: Building Safety, City Attorney, Code Compliance, Development Services, Economic Development, and Planning.

- During the latter part of 2009, staff attended all City Code Review Committee meetings to discuss and provide updates.

RECOMMENDATION:

The Planning Commission should recommend approval of ZTA09-01.

ATTACHMENTS:

1. Draft of Proposed Zoning Ordinance Amendments.
2. Citizen Participation Final Report (without mailing labels), approved June 2, 2011.
3. Citizen Comments.

PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director

TR/df



Deputy City Manager

Zoning Text Amendment Application ZTA09-01: Zoning Ordinance Update

Draft of Proposed Zoning Ordinance Amendments

**May 27, 2011
Glendale, Arizona**

The text amendments (**additions in bold text**, *deletions in italics*) are as follows:

Section 1.404.B. – Development Standards should be amended to read:

1.404.B. Any site which is nonconforming due to deficiencies of development standards and which require design review shall, as a requirement of design review, be brought into conformance including, but not limited to, development standards for parking, circulation, driveways, drainage, **designated smoking areas**, storage, screening, and landscaping, with the Zoning Ordinance and other applicable codes before any design review can be approved.

Add to Section 2.300 Definitions:

Alternative Design Tower: Artificial trees, **cactus**, clock towers, and similar non-traditional structures that are compatible with the existing setting or structures and camouflage or partially conceal the presence of antennas or towers. This includes any antenna or antenna array attached to the alternative design structure.

Designated Smoking Area: A portion of the parcel where smoking is permitted.

Sign, Freeway Billboard: An identification sign, or a sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing on or elsewhere than on the property where the sign is located and intended to be viewed primarily from SR 101, SR 303, or Northern Parkway.

Smoking: Inhaling, exhaling, burning, or carrying or possessing any lighted tobacco product, including cigars, cigarettes, pipe tobacco and any other lighted tobacco product.

Section 3.103.D.5. Board of Adjustment should be amended to read:

3.103.D.5. To exercise powers of the Airport Board of Adjustment pursuant to Arizona Revised Statutes Section 28-**8471 et seq. or as may be amended from time to time.**

Section 3.525.B.2 – Amendments to the General Plan – Text and Maps Public Notice should be amended to read:

3.525.B.2. All property owners within **five hundred (500)** feet of the exterior boundaries of the property subject to the application as shown on the last assessment of the property

shall be sent notice by first class mail, postmarked at least fifteen (15) days prior to the date of the scheduled public hearing.

Section 3.602 – Design Review When Review is Required should be amended by adding a new Section 3.602.H.:

3.602.H. Any change to the exterior color of the building.

Section 3.603 – Design Review Minor Design Review and Waiver of Design Review should be amended to read:

Section 3.603. Minor Design Reviews and Waiver of Design Review.

Some projects such as single residences, may not need a complete review in accordance with Sections 3.604 and Sections 3.605 even though one of the **eight (8)** requirements of Section 3.602 is met. The Planning Director may waive full Design Review if it is determined that such review will not further the purpose of this section.

Section 3.604 – Design Review Submittal Requirements for a Design Review application should be amended to add:

3.604.G. Location of Designated Smoking Area.

Section 3.604 – Design Review Submittal Requirements for a Design Review application should be amended to add:

3.604.H. The requirement to depict the location of a Designated Smoking Area shall not be waived by the Planning Director for any building, parcel, or project with a gross area greater than seven thousand five hundred (7,500) square feet which is not a single residence.

Section 3.605.B. – Design Review - Review and Approval should be amended to read:

3.605.B The proposed site development plan's building heights, building locations, access points, **designated smoking areas**, and parking lots will not negatively impact adjacent properties or the surrounding neighborhood.

Section 3.700 – Variances and Appeals can be restored to the zoning ordinance as it was written pre-2006 with a few amendments:

Reviewing the pre-2006 language, **Section 3.701. General** can be restored to the zoning ordinance as written.

3.701. General.

Appeals to the Board of Adjustment, set forth in Section 3.103.E. may be made by any person aggrieved or by any officer, department, or Board of the City affected by

any decision or interpretation made by the Planning Director while administering this ordinance. A variance from the terms of this ordinance may be requested by any person or their authorized agent, having an interest in the real property affected by the request.

Section 3.702. Application can be restored to the zoning ordinance as it was written pre-2006, with the addition of one new paragraph:

3.702. Application.

Applications shall conform with the provisions of Section 3.300. Appeals and variance requests shall be made on an application form specifying grounds for the appeal or variance, with other requested documentation as specified by the Planning Director, and the appropriate fee. An application for an appeal of any decision or interpretation made by the Planning Director shall be filed with the Planning Department within thirty (30) calendar days of the date of the decision or interpretation. After the Planning Department has determined that an application is complete, a public hearing with the Board of Adjustment will be scheduled. Any variance application, required fees and other documentation being submitted due to a pending enforcement action by the City shall be completed and filed with the Planning Department within sixty (60) calendar days of the date on the violation notice.

Section 3.703. Effect of Application can be restored to the zoning ordinance as it was written pre-2006.

3.703. Effect of Application.

Any variance or appeal application, unless otherwise provided by law, shall stay all proceedings in the manner appealed from, unless the Planning Director certifies that a stay would cause imminent peril to life or property. In such cases, proceedings will not be stayed except by a restraining order granted by the Board of Adjustment, or by a court of record on application and noticed to the Planning Director.

Section 3.704. Public Notice can be restored to the zoning ordinance as it was written pre-2006.

3.704. Public Notice.

The Board of Adjustment shall hold at least one (1) public hearing on the application for variance and appeals. Prior to the public hearing, notice shall be provided as follows:

- A. A notice shall be placed in the newspaper of general circulation of the area, or as may be designated by the City Council for legal public notices. The notice shall describe the type and nature of the request at least fifteen (15) days prior to the date of the scheduled hearing:

- B. A notice shall be posted on or near the property in at least one (1) location on a form proscribed by the Planning Department for such public notice. The posted notice shall be placed on the property at least fifteen (15) days prior to the date of the scheduled public hearing. It shall not be the responsibility of the City to maintain the posting once erected:**
- C. A notice by first class mail shall be made to nearby property owners who are potentially affected as determined by the Planning Director:**
- D. Notwithstanding the notice requirements set forth in this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.**

Section 3.705. Findings for Appeals can be restored to the zoning ordinance as it was written pre-2006.

3.705. Findings for Appeals.

When considering an appeal of a decision or interpretation made by the Planning Director, the Board of Adjustment shall make its determination based on the following findings:

- A. The Planning Director did or did not evaluate all relevant provisions of this Zoning Ordinance:**
- B. The Planning Director did or did not consider all relevant information related to the decision or interpretation:**
- C. The Planning Director's decision was in error.**

If the Board of Adjustment determines that the decision or interpretation made by the Planning Director was made in error, the resulting decision by the Board shall not constitute an amendment to the ordinance by permitting a use which is not otherwise allowed, or waive the development standards of the zoning district in which the property is located.

Section 3.706. Findings for a Variance can be restored to the zoning ordinance as it was written pre-2006.

3.706. Findings for a Variance:

- A. The purpose of a variance is to restore equity when, due to special circumstances or conditions, the ordinance restricts one (1) property more severely than other properties in the same zoning district. The circumstances or conditions must be beyond the control of the owner and relate to the property as opposed to the owner. Personal hardship or inconvenience does not justify a variance. The burden of proof is on the property owner.**
- B. The Board of Adjustment shall make the following findings based on the evidence in the record prior to granting a variance.**

1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings which were not self imposed by the owner.
2. Due to special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties in the same classification in the same zoning district;
3. The variance is the minimum necessary to alleviate the property hardship; and
4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.

C. The Board of Adjustment shall not grant a variance when:

1. The special circumstances applicable to the property are self-imposed by the owner. This includes:
 - a. A hardship that has been intentionally, knowingly, or recklessly created.
 - b. The failure of the owner to consider other reasonable alternatives which do not require a variance.
2. The variance would constitute a change to the uses permitted in any zoning district.
3. The variance would constitute a grant of special privileges inconsistent with the limitations on other properties in the zoning district.

Section 3.707. Conditional Approval can be restored to the zoning ordinance as it was written pre-2006.

3.707. Conditional Approval:

The Board of Adjustment may place conditions on the variance to assure that the adjustment authorized will not grant special privileges inconsistent with the limitations on other properties in the vicinity.

Section 3.708. Effective Date of the Variance or Appeal is now numbered as Section 3.701. This section should be amended to read:

3.708. Effective Date of the Variance or Appeal.

The decision of the Board of Adjustment shall be final thirty (30) calendar days from the date of the public hearing unless an appeal is filed as provided for in this ordinance.

Section 3.709. Appeal to Superior Court is now numbered as Section 3.702. This section should be amended to read:

3.709. Appeal to Superior Court.

The City or any person aggrieved by a decision of the Board of Adjustment may within thirty (30) calendar days of the Board's decision, file a complaint for special action in Superior Court in accordance with A.R.S. 9-462.06(K) now in effect or as it may be amended from time to time.

Section 3.710. Modification of a Variance is now numbered as Section 3.703. This section should be amended to read:

3.710. Modification of a Variance.

Any alteration or expansion of a project for which a variance was approved shall comply with all current provisions and regulations of this Zoning Ordinance. Any request for modification or other change in conditions of approval of the variance shall be reviewed according to provisions of this article as a new application.\

Section 3.711. Revocation of a Variance is now numbered as Section 3.704. This section should be amended to read:

3.711. Revocation of a Variance.

When provisions of this ordinance related to the variance, or conditions or stipulations, made a part of the variance approval, have not been satisfied, the variance may be revoked as follows:

The Board of Adjustment shall, by first class mail, notify the holder of the variance of its intention to hold a hearing to consider revocation of the variance. The notice shall be made at least fifteen (15) days prior to date of the scheduled hearing. At the hearing, the Board of Adjustment shall consider evidence from all interested parties, and after deliberation, may revoke the variance or take any actions as may be necessary to insure compliance with the regulations or conditions of the approved variance.

Section 3.712. Reapplication is now numbered as Section 3.705. This section should be amended to read:

3.712. Re-application.

Where a variance or appeal has been denied, no application for a variance or appeal for the same or substantially the same issue on the same or substantially the same site shall be filed within one hundred eighty (180) days from the date of denial.

Section 3.713. Applicability of the Variance is now numbered as Section 3.706. This section should be amended to read:

3.713. Applicability of the Variance.

Except as may be otherwise stipulated or provided in this Zoning Ordinance, a variance granted pursuant to provisions of this article shall run with the land and continue to be

valid upon a change of ownership of the site or structure which was subject to the variance.

Section 3.806.B. – Amendments to the Zoning Ordinance – Text and Maps – Public Notice should be amended to read:

3.806.B. All property owners within **five hundred (500)** feet of the exterior boundaries of the property subject to the application as shown on the last assessment of the property shall be sent notice by first class mail, postmarked at least fifteen (15) days prior to the date of the scheduled public hearing.

Section 3.902.C. – Conditional Use Permits Application should be amended to read:

Section 3.902.C. A list of all owners of property within **five hundred (500)** feet of the exterior boundaries of the project subject to the application. The list shall be accompanied by a map showing the location of these properties.

Section 3.902.D. – Conditional Use Permits Application for a Conditional Use Permit should be amended to read:

3.902.D. A site plan including dimensions which depicts the type and location of buildings, structures, floor plans, parking, landscaping, **designated smoking area**, circulation, and other relevant information.

Section 3.907.A. – Conditional Use Permits Appeal Procedure should be amended to read:

Section 3.907.A. The action of the Planning Commission may be appealed to the City Council by the applicant, any member of the City Council, the City Manager, or any property owner within **five hundred (500)** feet of the property subject to the request. Such requests for appeal must be filed on an application form provided by the Planning Director with the appropriate fee, within fifteen (15) days following the date of the Planning Commission action.

Section 3.920 F. - Establishing a Historic Preservation (HP) District should be amended to read:

3.920.F. The Historic Preservation Commission shall also review proposed exterior design guidelines for the district to ensure that distinctive features will be preserved and enhanced. The design guidelines shall also address height, proportions, scale, materials, relationship of building masses and spaces, roof shape, and site improvements, such as landscaping, parking, and signage, as they relate to the identity of the Historic Preservation District. Exterior paint colors **shall** be included in these guidelines. These guidelines shall be adopted at the time of designation.

Section 5.103. A-1 – Agricultural District - Uses Subject to Conditions should be amended to read:

D. Wireless communication facilities, subject to Section 7.600.

Section 5.123. Rural Residential RR-90, RR-45 Rural Residence - Uses Subject to Conditions should be amended to read:

E. Wireless communication facilities, subject to Section 7.600.

Section 5.203. Suburban Residential SR-30, SR-17, SR-12 Suburban Residence - Uses Subject to Conditions should be amended to read:

F. Wireless communication facilities, subject to Section 7.600.

Section 5.303. Urban Residential R1-10, R1-8, R1-7 – Single Residence - Uses Subject to Conditions should be amended to read:

E. Wireless communication facilities, subject to Section 7.600.

Section 5.316. R1-6 – Single Residence Uses Subject to Conditions should be amended to add:

5.316.E. Wireless communication facilities, subject to Section 7.600.

- 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.**
- 2. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.**

Section 5.3182. R1-6 – Single Residence Design Review should be amended to add:

5.3182.C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

Section 5.323. R1-4 Single Residence - Uses Subject to Conditions should be amended to read:

A. Wireless communication facilities, subject to Section 7.600

Section 5.413. R-2 – Mixed Residence - Uses Subject to Conditions should be amended to read:

F. Wireless communication facilities, subject to Section 7.600

Section 5.413. R-3 – Multiple Residence - Uses Subject to Conditions should be amended to read:

E. Wireless communication facilities, subject to Section 7.600

Section 5.440 – R-5 – Multiple Residence – Uses Subject to Conditions should be amended to read:

5.443.C. Wireless communication facilities, subject to Section 7.600.

Section 5.523 Uses Subject to Conditions should be amended to read:

C. Wireless communication facilities, subject to Section 7.600.

Section 5.523 CO - Commercial Office Uses Subject to Conditions should be amended to add:

5.523.B.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.524.F. CO - Commercial Office Uses Subject to Conditional Use Permit should be amended to read:

5.524.F. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.524.G. CO - Commercial Office Uses Subject to Conditional Use Permit should be amended to read:

5.524.G. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.503 R-O – Residential Office Uses Subject to Conditions should be amended to read:

C. Wireless communication facilities, subject to Section 7.600.

Section 5.523 – C-O – Commercial Offices Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.543 GO – General Office Uses Subject to Conditions should be amended to read:

C. Wireless communication facilities, subject to Section 7.600.

Section 5.543 GO - General Office Uses Subject to Conditions should be amended to add:

5.543.C.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.544.B. GO - General Office Uses Subject to Conditional Use Permit should be amended to read:

5.544.B. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.544.C. GO – General Office Uses Subject to Conditional Use Permit should be amended to read:

5.544.C. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.612A – PR – Pedestrian Retail Uses Subject to Conditions should be amended to read:

Wireless communication facilities, subject to Section 7.600.

Section 5.704 NSC – Neighborhood Shopping Center Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.704 NSC - Neighborhood Shopping Center Uses Subject to Conditions should be amended to add:

5.704.B.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.705.C. NSC – Neighborhood Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.705.C. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.705.D. NSC - Neighborhood Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.705.D. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.709.A.1. NSC – Neighborhood Shopping Center Master Development Plan should be amended to read:

5.709.A.1. The location of all proposed buildings, plazas, **designated smoking areas**, and pedestrian walkways.

Section 5.713 SC – Shopping Center Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600

Section 5.713 SC – Shopping Center Uses Subject to Conditions should be amended to add:

Section 5.713.B.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.714.H. SC – Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.714.H. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.714.I. SC – Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.714.I. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.717. SC – Shopping Center Design Guidelines should be amended to add:

5.717.D. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

Section 5.733 C-1 – Neighborhood Commercial Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.733 C-1 – Neighborhood Commercial Uses Subject to Conditions should be amended to add:

5.733.B.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.734.C. C-1 – Neighborhood Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.734.C. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.734.D. C-1 – Neighborhood Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.734.D. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property**.

Section 5.753 C-2 – General Commercial Uses Subject to Conditions should be amended to add:

5.753.C.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.754.S. C-2 – General Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.754.S. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.754.T. C-2 – General Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.754.T. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property**.

Section 5.773 C-3 - Heavy Commercial Uses Subject to Conditions should be amended to read:

D. Wireless communication facilities, subject to Section 7.600.

Section 5.773 C-3 – Heavy Commercial Uses Subject to Conditions should be amended to add:

5.773.D.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.774.C. C-3 – Heavy Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.774.C. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.774.D. C-3 – Heavy Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.774.D. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property**.

Section 5.774.E. C-3 – Heavy Commercial Uses Subject to Conditional Use Permit should be amended to read:

E. Wireless communication facilities – alternative tower structure, otherwise not permitted under Section 7.600.

Section 5.785 CSC – Community Shopping Center Uses Subject to Conditions should be amended to add:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.785 CSC – Community Shopping Center Uses Subject to Conditions should be amended to add:

5.785.C. Wireless communication facilities – alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.786.G. CSC – Community Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.786.G. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.786.H. CSC - Commercial Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.786.H. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property**.

Section 5.790.A.1. CSC – Community Shopping Center Master Development Plan should be amended to read:

5.790.A.1. The location of all proposed buildings, plazas, **designated smoking areas**, and pedestrian walkways.

Section 5.813 BP – Business Park Uses Subject to Conditions should be amended to add:

Wireless communication facilities, subject to Section 7.600.

Section 5.813 BP – Business Park Uses Subject to Conditions should be amended to read:

5.813.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.814.G. BP – Business Park Uses Subject to Conditional Use Permit should be amended to read:

5.814.G. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.814.H. BP – Business Park Uses Subject to Conditional Use Permit should be amended to read:

5.814.H. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.818.C. BP – Business Park Master Development Plan should be amended to read:

5.818.C Open Space, Landscaping,. **Designated Smoking Areas.**

Section 5.843 M-1 – Light Industrial Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.843 M-1 – Light Industrial Uses Subject to Conditions should be amended to add:

5.843.B.3. Wireless communication facilities – alternative design tower structure or monopole located more than two hundred (200) feet residentially zoned property.

Section 5.844.E. M-1 – Light Industrial Uses Subject to Conditional Use Permit should be amended to read:

5.844.E. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.844.F. M-1 – Light Industrial Uses Subject to Conditional Use Permit should be amended to read:

5.844.F. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.863 M-2 – Heavy Industrial Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.863 M-2 – Heavy Industrial Uses Subject to Conditions should be amended to add:

5.863.B.3. Wireless communication facilities – alternative design tower structure or monopole located more than two hundred (200) feet of residentially zoned property.

Section 5.864.M. M-2 – Heavy Industrial Uses Subject to Conditional Use Permit should be amended to read:

5.864.M. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.864.N. M-2 – Heavy Industrial Uses Subject to Conditional Use Permit should be amended to read:

5.864.N. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.912.B.4. PAD – Planned Area Development Procedures should be amended to add:

5.912.B.4.j. Designated Smoking Areas.

Section 5.912.B.4 PAD – Planned Area Development Procedures should be amended to add:

5.912.B.4.k. Preliminary approval for all requested building and tower heights from the Federal Aviation Administration.

Table 3-A Commercial/Employment Districts Wireless Communications shall be modified to eliminate the column with the heading “*Subject to Conditional Use Permit*” and the *R-O* and *P-R* rows.

Section 6.402 – HP – Historic Preservation Effect of Historic Preservation (HP) Zoning Designation should be amended by adding a new Section 6.402.F.:

6.402.F. Design Review is required as outlined in Section 3.600.

Section 6.504.A.7.l. – Special Use District Application Procedures should be amended as follows:

6.504.A.7.l. Elevations of all proposed structures **including a general description of architectural theme colors and type of exterior building materials for each structure or group of structures in the Special Use District.**

Section 6.504.A.7 - Special Use District Application Procedures should be amended by adding a new Section 6.504.A.7.m.:

6.504.A.7.m. The proposed architectural and site design concepts including style, colors, and types of materials.

Section 6.504.A.7. – Special Use District Application Procedures should be amended by adding a new Section 6.504.A.7.n.

6.504.A.7.n. Designated Smoking Area.

Section 6.504.A. – Special Use District Application Procedures should be amended by adding a new Section 6.504.A.9.:

6.504.A.9. Preliminary approval for all requested building heights from the Federal Aviation Administration (FAA) if applicable.

Section 7.103 - Signs Prohibited Signs should be amended to read:

7.103.F. Signs with intermittent or flashing illumination, **except Freeway Billboard Signs**, and animated or moving signs.

Section 7.104.B.3 - Signs Permitted Permanent Signs Office Districts Freestanding Identification Signs should be amended to read:

7.104.B.3.b. The sign shall not exceed a height of **ten (10)** feet.

7.104.B.3.h. Multi-tenant buildings and complexes. The sign may identify the name of the building or complex and the name of up to **eight (8)** businesses within the building or complex for a total of nine (9) names. Such sign shall not include any advertising copy.

Section 7.109.D.7 – Signs Required Permits and Fees should be amended as follows:

7.109.D.7. Inventory of all existing signs on the property showing the type, dimensions, **design copy, colors, materials**, and location of each sign.

Section 7.109.D.8. – Signs Required Permits and Fees should be amended as follows:

7.109.D.8. Fully dimensioned plans and elevations showing the dimensions, design copy, **colors, materials**, and location of each proposed sign.

Section 7.100 – Signs should be amended by adding a new Section 7.110:

7.110 Freeway Billboard Signs

A. Freeway Billboard Signs (FBS) are permitted in certain zoning districts subject to the regulations noted below.

- 1. Placing a Freeway Billboard Sign requires the lot to have a minimum of one thousand (1,000) feet of lineal frontage adjacent to one of the following:**
 - a. SR 101 (Agua Fria Freeway)**
 - b. SR 303 (Bob Stump Memorial Parkway)**
 - c. Northern Parkway**
- 2. Placing a Freeway Billboard Sign on a lot requires a minimum of 125,000 square feet of building area which has received a Certificate of Occupancy on the lot.**
- 3. The zoning of the lot on which the Freeway Billboard Sign is located must be Planned Area Development (PAD).**
- 4. One Freeway Billboard Sign is allowed for every six hundred sixty (660) lineal feet of freeway frontage on each side of the freeway.**
- 5. The Freeway Billboard Sign must be located within three hundred (330) feet of the freeway right-of-way.**
- 6. There shall be a minimum distance of six hundred sixty (660) feet between all Freeway Billboard Signs on any single lot.**
- 7. All Freeway Billboard Signs must be set back a minimum of three hundred thirty (330) feet from the property line of any adjacent property having frontage on one of the routes listed in section 7.110.A.1..**
- 8. Maximum sign height, including any supporting structures, for a Freeway Billboard Sign must be no more than eighty (80) feet.**
- 9. Maximum Freeway Billboard Sign width must be no more than fifty (50) feet.**
- 10. Maximum Freeway Billboard Sign area must not exceed six hundred sixty five (675) square feet.**
- 11. The message or image of the Freeway Billboard Sign may be static or change a specific or programmed time intervals. The change in message or images shall occur no more frequently than once every eight (8) seconds and shall not have fade or dissolve transitions, or full**

animation or video, or similar subtle transitions or frame effects that have the appearance of moving text or images.

12. Provisions in this section supplement and do not supersede provisions of any PAD in existence before the effective date of this ordinance.
13. Design Review approval is required to allow any Freeway Billboard Sign, including those within any PAD in existence before the effective date of this ordinance.
14. Any application for development or construction of a Freeway Billboard Sign shall submit a Federal Aviation Form 7460-1 to the local Federal Aviation Administration office for review. A positive recommendation from the Federal Aviation Administration stating the Freeway Billboard Sign has no negative effect on any airport or navigational airspace must be received prior to Design Review approval.
15. The Glendale Municipal Airport Manager and Luke Air Force Base shall be informed of all requests for Freeway Billboard Sign. The Airport Manager and a representative of the Base shall both state that the Freeway Billboard Sign has no impact on facility operations prior to Design Review approval.
16. The minimum setback standard of Section 7.110.A.7 may be reduced by the Zoning Administrator upon a showing by the property owner that strict application of the standard to a specific sign installation will cause a potential hazard to motorist safety due to visibility limitations caused by:
 - a. Existing or proposed structures; or
 - b. Grade or elevation changes at or near the subject property; or
 - c. Proximity to existing or proposed bridges, overpasses or other similar roadway features; or
 - d. Curvature or other design feature of the adjacent freeway; or

Section 7.201.A – Landscaping, Buffering, Walls - Walls, should be amended as follows:

7.201.A. The developer of property in SC, C-1, NSC, C-2, CSC, C-3, BP, M-1, or M-2 districts which abuts any residential district must provide a wall with a minimum height of eight (8) feet along the abutting property line. The wall must be at least eight (8) inches thick and constructed of decorative block or other finish **with design, materials, and color** approved by the Planning Director, consistent with the project and the adjoining residential area.

Section 7.201.B – Landscaping, Buffering, Walls - Walls, should be amended as follows:

7.201.B. The developer of properties in RO, CO, or GO districts, or any nonresidential use in any residential district which abuts any residential district, must provide a wall with a minimum height of six (6) feet along the abutting property line. The wall must be constructed of decorative block or other finish **with design, materials, and color**

approved by the Planning Director, consistent with the project and the adjoining residential district.

Section 7.201.C – Landscaping, Buffering, Walls - Walls, should be amended as follows:

7.201.C. The developer of properties in the R-2, R-3, R-4, or R-5 districts which abut any A-1, SR, or R-1 districts must provide a wall with a minimum height of six (6) feet along the abutting property line. The wall must be constructed of decorative block or other finish **with design, materials, and color** approved by the Planning Director, consistent with the project and the adjoining residential district.

Section 7.503 – Standards for Uses Subject to Conditions Seasonal Sales and Special Events should be added should be amended by adding a new Section 7.503.G.:

7.503.G. Design Review is required as outlined in Section 3.600.

Section 7.504.B. Standards for Uses Subject to Conditions Subdivision Model Home Complexes should be amended to read:

7.504.B. A model home complex plan is required which contains information as required by the Planning Director, **including the location of the Designated Smoking Area**. The Planning Director shall review and approve the plan prior to the issuance of building permits for models.

Section 7.504 – Standards for Uses Subject to Conditions Subdivision Model Home Complexes should be amended by adding a new Section 7.504.D.:

7.504.D. Design Review is required as outlined in Section 3.600.

Section 7.505 – Standards for Uses Subject to Conditions Temporary Office or Construction Trailers should be amended by adding a new Section 7.505.D.:

7.505.D. Design Review is required as outlined in Section 3.600.

B. Rooftop Mounted Antennas.

1. **Roof mounted antennas may exceed the maximum height of the zoning district but shall not extend more than ten (10) feet above the existing building height.**
2. **The antenna array scale and visibility shall be minimized.**
3. **Equipment shelters may locate on the building roof if screened from view of surrounding properties.**

C. Building Mounted Antennas.

1. **Antennas shall not extend above the height of the wall on which they are located or integrated.**

2. Antennas shall not project more than twenty (20) inches from the existing building wall.
 3. Equipment shelters may locate on the building roof if screened from view of surrounding properties.
- D. Alternative Tower Structure.**
1. The maximum additional height permitted by extension of an existing pole or by replacement pole is fifteen (15) feet.
 2. The maximum increase in pole diameter from the existing pole by the replacement pole is fifty (50) percent.
 3. The maximum width of the antenna array shall be four (4) feet.

Section 7.506 Wireless Communication Facilities has been deleted.

Section 7.601 Wireless Communication Facilities, including Alternative Design Towers and Alternative Tower Structures add the following under General Provisions:

- E. Rooftop Mounted Antennas.**
4. Roof mounted antennas may exceed the maximum height of the zoning district but shall not extend more than ten (10) feet above the existing building height.
 5. The antenna array scale and visibility shall be minimized.
 6. Equipment shelters may locate on the building roof if screened from view of surrounding properties.
- F. Building Mounted Antennas.**
4. Antennas shall not extend above the height of the wall on which they are located or integrated.
 5. Antennas shall not project more than twenty (20) inches from the existing building wall.
 6. Equipment shelters may locate on the building roof if screened from view of surrounding properties.
- G. Alternative Tower Structure.**
4. The maximum additional height permitted by extension of an existing pole or by replacement pole is fifteen (15) feet.
 5. The maximum increase in pole diameter from the existing pole by the replacement pole is fifty (50) percent.
 6. The maximum width of the antenna array shall be four (4) feet.

Section 7.602 Monopoles should be amended as follows:

- A. New monopoles must be separated by a minimum distance of one eighth (1/8) mile from any other monopole.**
- B. Monopoles shall be setback from any arterial or major arterial street a minimum of one hundred (100) feet.**

- C. Monopole towers and antennas shall not be illuminated or display warning lights unless required by the Federal Aviation Administration or other federal or state authority.**
- D. Any access road to a monopole site shall be paved.**
- E. One (1) paved parking space shall be provided on site unless otherwise provided on adjacent property.**
- F. All new monopoles over fifty (50) feet in height shall be constructed to allow for collocation by other wireless providers. The applicant shall demonstrate that the engineering of the tower and the placement of ground mounted facilities will not preclude other providers. The owner of the proposed tower must certify in writing that the tower will be available for use by other wireless communication providers on a economically reasonable and non-discriminatory basis.**
- G. Design review is required as outlined in Section 3.600.**

Section 7.603 Amendments to Existing Monopoles should be amended as follows:

- C. Any amendment to an existing monopole requires Administrative Review approval by the Planning Director.**

EARL, CURLEY & LAGARDE, P.C.
ATTORNEYS AT LAW

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3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

June 8, 2010

Mr. Jon Froke
Planning Director
City of Glendale
5801 W. Glendale Avenue
Glendale, AZ 85301

Delivered via e-mail

RE: Signage Comments in draft Glendale Zoning Ordinance

Dear Jon:

We want to thank you and Maryann for meeting with us on May 18th and listening to our comments on the signage language contained in the draft Zoning Ordinance. As you suggested we are documenting our comments in this letter for your review. Although you have asked for public comments by May 21st, you indicated that a defined schedule to adopt this Ordinance is not in place and that you would be willing to meet with us again after you review these comments.

This subject is very timely as there are two projects directly impacted by this Ordinance. As you know a Stipulation had to be added to the Urban 95 PAD to allow the future adopted Ordinance to govern. In an identical manner the Bella Villagio PAD contains signage that far exceeds the City's existing and proposed standards for billboards and freeway signs and we believe the Bella Villagio signage should also be made to conform to the adopted Ordinance.

As we noted in our meeting, our client's initial and current goal was to preserve the section of the L101 corridor (now termed Southern Freeway corridor) for the West Valley's and Glendale's preeminent employment center. This would typically allow very few billboards. However, as billboards have now been installed in this corridor and more are planned, we want to ensure that the Ordinance signage language is clear and fair. That is the basis for the following comments that relate to Sections 7.104.C (Billboards) and 7.104.J (Freeway Pylons).

- 7.104.C & 7.104.J: The issue of setbacks from property corners is not addressed. A sign located in a property corner has a negative impact on the adjacent owner. It would seem that a 330' minimum setback from a property corner should be part of the Ordinance.
- 7.104.C.2.a: Although PAD zoning is needed for a billboard, we learned that an existing PAD that did NOT include billboards will require a Major Amendment to obtain approval for billboards. We suggest that this be made clear.

June 9, 2010

Page 2

- 7.104.C.2.b.c.i: These three clauses appear to conflict with one another as it is unclear as to the allocation of billboards on any one property. We believe that the intent of the Ordinance is to require 1,000' of continuous freeway frontage before 1 billboard or 1 pylon is permitted. As 7.104.C.2.i clearly mentions multiple billboards and some properties already have more than 1 billboard, we believe that limiting billboards to 1 per property regardless of freeway frontage is unfair. We believe that allocating billboards on 1 per 1,000 feet of frontage is an acceptable and fair allocation method. In this method a freeway pylon would count as 1 "billboard". Note that the previous comments apply to Sections 7.104.J.2.a,b.

Finally, we believe that another bullet point/provision should be added that states existing signage provisions contained in an approved PAD will NOT be affected by this new Ordinance?

Thank you again for the opportunity to provide these comments and we are available to review any subsequent revisions.

Sincerely,



Mike Curley

cc: Tim Bidwill
Mike Rushman



April 4, 2010

Maryann Pickering, AICP, Zoning Administrator and
Tabitha Perry, Principal Planner
City of Glendale City Hall
5850 West Glendale Avenue
Glendale, AZ 85301

Via electronic mail

RE: **City of Glendale Draft Ordinance and CI Design Guidelines
Regulating the Siting of Wireless Communications Facilities**

Dear Ms. Pickering and Ms. Perry,

As the representative of the wireless industry in Arizona, we write to you, as your business partner, about the proposed comprehensive zoning ordinance update as it relates to the siting of wireless telecommunications facilities.

We applaud your efforts in creating an ordinance that will foster the consistent application of zoning regulations in Glendale. This consistent application will enable your citizens and businesses to receive the cutting edge service and technology that a well planned wireless infrastructure provides. It is important, in today's technology driven environment, to have an ordinance and use permit process that Wireless Carriers and Tower Providers, as well as planning staff, clearly understand to promote a streamlined review process that protects Glendale's esthetic fabric.

The Arizona Wireless Association ("AZWA") is the State of Arizona's trade association representing the wireless industry. The mission of AZWA is to cultivate relationships within the wireless industry and create a unified voice that supports the development of quality wireless networks, the enhancement of the communities we serve, and a spirit of charitable giving. AZWA's members include both wireless carriers that deliver voice and data services and operators of the facilities used by the carriers, such as towers, rooftop wireless sites, and similar structures. We hope to partner with Glendale to facilitate the deployment of wireless infrastructure in a manner that is responsive to your community's unique concerns.

To open our dialogue on the Drafts, we have general comments that we would like to share.

1. If a proposed site does not fit the ordinance guidelines, we recommend the City of Glendale implement a Use Permit process to entertain all applications based on their merit.
2. There are a variety of structures used by the wireless industry; we recommend clarification of the Draft Ordinance reference to the ¼ mile rule and its application to alternative tower types and collocatable vs. non-collocatable existing structures.
3. We recommend that the new ordinance provide a short process for the deployment of temporary cellular facilities at events in order to provide wireless voice and data services to the fans, event-providers and sponsors.
4. Based on our experience with the Phoenix ordinance update, we recommend a formal "1 Year Review" of the New Glendale Ordinance to adjust for any unforeseen conflicts or problems. This provides both the City, and the wireless industry, the opportunity to address unforeseen issues as partners and eliminates the tension and work associated with one-off text amendments.
5. Finally, it is important that the ordinance rules are:
 - Consistent with the current wireless industry equipment requirements, and
 - Flexible to accommodate future technology requirements for an industry that is rapidly changing.

In addition to our general comments, we also have specific suggested edits to the Draft Ordinance. To facilitate your review of our suggestions, we converted 7.600 Wireless Communication Facilities Draft Ordinance to word and tracked our suggested edits. The PDF version of our document showing the tracked edits is included as an attachment to this letter.

In addition to our suggestions to the Draft Ordinance, we will also submit, by April 15, our suggested edits to section VI. Wireless Communications Facilities of the Draft CI Design Guidelines. The suggestions will be consistent with the suggestions submitted on the attached Draft Ordinance.

We appreciate this opportunity for a healthy dialogue and we thank you for taking the time to read through our comments.

Best Regards,

/s/

John Stevens
President
AZWA –Arizona Wireless Association
1049 W. Horseshoe Avenue
Gilbert, AZ 85233
John@AZWA.org

Enclosures: 1
cc: Jon M. Froke

7.600 WIRELESS COMMUNICATION FACILITIES.

7.601 General Provisions.

- A. All wireless communication facilities shall have an identification plaque no larger than twelve (12) inches by twelve (12) inches permanently affixed which clearly identifies the name, address, and emergency phone number of the provider. No other identification or sign as defined by the Zoning Ordinance is permitted on monopoles or related facilities.
- B. The minimum setbacks for the zoning district shall apply to all towers, equipment shelters, and accessory buildings. The dimensions of the entire lot or parcel shall apply and not the dimensions of the leased area.
- C. Adequate screening from off-site views shall be required as determined at the time of Design Review.
- D. Any monopole, tower, or alternative tower structure which is not in use for six (6) months shall be removed by the property owner. The removal shall occur within ninety (90) days of the end of such six (6) month period. If the alternative tower structure includes an extension or replacement of the original structure, the structure shall be returned to the original height and condition.

7.602 Monopoles.

- A. A Monopole is a tower facility that is clearly recognized and not concealed or disguised. A monopole does not include Alternative Tower Structures as defined in 7.604.
- A-B. New ~~m~~Monopoles must be separated by a minimum distance of one-quarter (1/4) mile from the property where any other ~~M~~monopole is located.
- B-C. Monopoles must be setback from residential zoned properties 300' from another property zoned or used for residential purposes a minimum distance of twice the height of the height of the tower.
- C-D. Monopoles must be setback from any arterial or major arterial street a minimum of seventy-five (75) feet.
- D-E. Monopole towers and related antennas shall not be illuminated or display warning lights, unless required by the Federal Aviation Administration (FAA) or other federal or state authority.
- E-F. Any access road to a ~~M~~monopole site shall be paved comply with Maricopa County Air Pollution Control Regulations, Regulation III – Control of Air Contaminants, Rule 301 and 301.1.
- F-G. One (1) paved parking space shall be provided on a Monopole site unless (a) otherwise provided on adjacent property or (b) there is sufficient, existing parking that complies with Maricopa County Air Pollution Control Regulations, Regulation III – Control of Air Contaminants, Rule 301 and 301.1.
- G-H. All new ~~m~~monopoles Monopoles over fifty (50) feet in height shall be constructed to allow for collocation by other wireless providers. The applicant shall demonstrate that the engineering of the tower and the placement of ground mounted facilities will not preclude other providers. The owner of the proposed tower must certify in writing that the tower will be available for use by other wireless communication providers on a economically reasonable and non-discriminatory basis.

7.603 Amendments to Existing Monopoles.

- A. Existing ~~m~~monopoles Monopoles include all wireless related monopoles, as defined in 7.602 or towers approved ~~A~~ approved or amended through the special use district (SUD) prior to May 28, 1998.
- B. An amendment ~~to to an existing monopole~~ Monopole is required to add additional antennas, add height to the ~~monopole~~ Monopole, replace the ~~monopole~~ Monopole with a larger Monopole, or add additional ground equipment to the facility.
- C. Any amendment to an existing ~~monopole~~ Monopole requires approval of a conditional use permit as outlined in Section 3.902(F).
- C-D. An amendment to an existing Monopole within a distance of one-quarter (1/4) mile from a property where any other Monopole, or Alternative Design Structure or Tower, is located may be made, subject to approval of a conditional use permit as outlined in Section 3.902(F).

7.604 Alternative Design Structures and Towers

- A. Rooftop Mounted Antennas.

1. Roof mounted antennas may exceed the maximum height of the zoning district but shall not extend more than ~~ten (10)~~fifteen (15) feet above the existing building height.
2. The antenna array scale, height, and visibility shall be minimized.
3. Equipment shelters may locate on the building roof if screened from view of surrounding properties.

B. Building Mounted Antennas.

1. Antennas shall not extend above the height of the wall on which they are located or integrated.
2. Antennas shall not project more than ~~twelve (12)~~twenty (20) inches from the existing building wall.
3. Equipment shelters may locate on the building roof if screened from view of surrounding properties.
4. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses. Building mounted antennas on residential uses is not permitted.

C. Alternative Design Tower Structure.

1. An Alternative Design Tower is a facility designed and sited so that the antenna structures are minimally obtrusive and appear to be part of the natural surroundings. Alternative Design Towers include, but are not limited to monopoles, monocats, monopines, ball field light poles, flag poles, water towers, street lights, traffic lights and utility poles.
2. Alternative Design Towers must be set back a minimum of 150' from another property zoned or used for residential purposes. A use permit is required to reduce the setback up to 50' from a property that is zoned or used for residential purposes.
- ~~1-3.~~ The maximum additional height permitted by extension of an existing poleAlternative Design Toweror by replacement Alternative Design Tower pole is fifteen (15) feet.
- ~~2.~~ The maximum increase in pole diameter from the existing pole by the replacement pole is fifty (50%) percent.
- ~~3-4.~~ The maximum width of the antenna array shall be four (4) feet. The width and height of the antenna array on an Alternative Design Tower shall be concealed within the design elements of the Alternative Design Tower or minimized as technologically feasible.
- ~~4-5.~~ The related equipment shelter for Alternative tower-Design Tower structure-mounted antennas which utilize an existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer, unless there is insufficient space and a separate agreement can be reached with the adjacent land owner.

PUBLIC COMMENTS ON WEB



Prepared for
Planning Department
Zoning 1, 3, 4, 5

Received 4/27/09

From: Courtney LeVinus [courtney@capitolconsultingaz.com]
Sent: Monday, March 16, 2009 8:58 PM
To: 'Courtney LeVinus'; suzanne@capitolconsultingaz.com; Pickering, Maryann
Subject: Zoning Ordinance Update

Dear Maryann,

Thanks for sending the proposed changes. How do you want to handle responses to the first three articles? As I recall from our meeting there we are no a very short time frame.

Two quick questions

- (1) At initial glance it appears that there is a two year retrofit provision for signage, fencing and outside storage (1.402 section E), is this an accurate interpretation?
- (2) It also appears in 3.302 section A that there is no longer a City notice requirement to the property owner if the application is not complete. Is this accurate and how will the applicant be notified if the application is not complete and additional information is needed?

Thanks,

Courtney LeVinus

From: Pickering, Maryann [mailto:MPickering@GLENDALEAZ.com]
Sent: Thursday, March 12, 2009 10:29 AM
To: Bailey, Roger; Baxley, Kendall ; Benna, Rebecca; Black, Debora; Blazina, Jessica; Broyles, Larry; Burdick, Mark; Cannataro, George; Carmicle, Alma; Cleveland, Stephen; Conrad, Steven; Davis, Chester; Dever, Lorie ; Dudley, Stephen; Duerr, Debra; Emery, Garnet; Erno, Stephen; Finn, Elizabeth; Friedman, Brian; Frisoni, Julie; Goins, Josh; Handlong, Amy; Hanna, Pam; Hernandez, Paul; Hurd, Chumita; Johnson, Genevieve; Kavanaugh, Pam; Kent, Stuart; Komernicky, Sue; Krey, Kristen; Kukino, Doug; Lamb, Robert; LeVinus, Courtney; Lynch, Art; Lyons, Allsa; MacLeod, Candace; Mazoyer, Deborah; McAllen, Samuel; Mehta, Jamsheed; Methvin, Steven; Moreno, Jean; Murphy, Chuck; Nelson, Mark; Clark, Marilyn; Cordero, Remigio; Eastman, Jessica; Figueroa, Diana; Flores, Karen; Froke, Jon; Hunt, Lisa; Kulikowski, Peter; Luttrell, Bill; May, James; O'Neill, Erin; Perry, Tabitha; Ritz, Thomas; Shabbeer, Shaik; Short, Ronald; Stovall, Karen; Reed, Karen A.; Reedy, Ken; Ricard, Suzle; Santiago-Espino, Gloria; Schurhammer, Sherry; Schwind, William; Skeete, Horatio; Strunk, Erik; Tice, Andrew; Tindall, Craig; Toporek, Sam ; VanDeman, Brent
Subject: Zoning Ordinance Update

Hello!

As you know, the Planning Department is in the process of a comprehensive update to the zoning ordinance. The first portion is now available for review and comment on our website. The first portion is Articles 1 and 3. Please note that we will be revising Article 2

(Definitions) at the end of the process and that is the reason it is not included at this time.

The link to our website is: <http://www.glendaleaz.com/planning/>

You will see the update as the first item on the page with a pdf link to the proposed changes. We welcome your feedback and comments. All comments can be directed to my attention.

You will receive future emails as more portions are available for review. Thank you in advance for your assistance with this endeavor.

Maryann Pickering, AICP

Zoning Administrator

City of Glendale

(623) 930-2590 - phone

(623) 915-2695 - fax



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before printing this message.

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Capitol Consulting, LLC

May 13, 2009

Ms. Maryann Pickering, AICP
Zoning Administrator
City of Glendale
5850 W Glendale Ave., Suite 212
Glendale, AZ 85301

Re: Zoning Code

Dear Maryann,

Per your request below are the recommendations from the Arizona Multihousing Association for changes to the sign code portion of the zoning code.

- 7.106 H – Sale, Lease or Rent Signs for all land uses - *On parcels of less than five-acre signs are limited to one per street frontage with a maximum height of 5 feet and a maximum area of 6 square feet. On parcels of more than five-acre, signs are limited to one per street frontage with a maximum height of 8 feet and a maximum area of 32 square feet.* This will make the Glendale sign code equitable among land uses and more competitive with surrounding cities that have similar provisions for all land uses (Avondale and Goodyear).
- 7.106 I – Special Events for all land uses – *such signs shall have a maximum area of 32 square feet and a maximum height of 8 feet.* Again this makes the sign code equitable among land uses and more competitive with surrounding cities.
- 7.106 G 4 – Promotional Displays – *such displays shall be allowed for thirty (30) days no more than four (4) times per calendar year. As well as a temporary recession amendment similar to Peoria which allows - such displays shall be allowed for sixty (90) days no more than two (2) times per year and sixty (60) days between permitting until July 31, 2011.*
- 7-106 J - Subdivision Advertising and Directional Signage. Include multiple residence uses in these provisions to provide equity among land uses for provisions 1, 2 and 3 (general, on-site advertising and identification flags). This is similar to Goodyear grand opening provisions for multiple residence uses (R5) which is allowed for one year from initial Certificate of Occupancy or until the rental community is 95% occupied whichever comes first.

Maryann, we appreciate your consideration of these recommendations. During these difficult economic times our apartment communities are dealing with record high vacancy rates, reduced rents and unbelievable economic concessions for new and renewing residents. Drive-by advertising (on-site signage) accounts for over 85% of our residents and is the most effective and least expensive form of advertising for our industry. We understand the desire to keep Glendale "clutter free" from too much signage and will be happy to work with you to provide flexibility to our owners while at the same time maintain the Glendale image.

Regards,

Courtney LeVinus
Capitol Consulting
Representing Arizona Multihousing Association



James Carpentier AICP
Legislative Consultant

May 18, 2009

To: Maryann Pickering AICP, Zoning Administrator, City of Glendale

Re: Proposed revisions to the Glendale Sign Code

We appreciate the opportunity to provide the City of Glendale with comments in regards to the proposed sign code draft. In addition, we are thankful that you have granted some additional time to allow the Arizona Sign Association to review the proposed code.

The proposed Glendale sign code has a number of issues that the Arizona Sign Association would like to see addressed. One of the key issues noted below is the regulation of sign content well beyond the three prong test of, "time, place, and manner." The following is a summary of the key issues of concern to the Arizona Sign Association:

- The Arizona Sign Association is proposing, as a part of a master sign plan, if a project designates 100% of all sign illumination (ground and wall) as LED the project will qualify for a 25% bonus in sign height or area. This proposal is in compliance with and supports Glendale's General Plan, Implementation Program, Conservation of Resources Policies, #6. Green Building Practices. This proposal is warranted due to the additional costs for LED illumination is offset by the bonus in area or height.
- The draft is proposing to decrease the height in the Office Districts from 15' to 8'. The model code by the Signage Foundation (a copy was sent with this email) suggests a minimum of 12' in any district for functionality and view ability. The ASA recommends that the minimum height of 12' be maintained for visibility and functionality, as this matches the height in the Industrial and Commercial Districts.
- The City is recommending electronic message displays (LED signs) for churches, schools and theaters. We are suggesting that the City allow electronic message displays for Industrial and Commercial districts. The Arizona sign Association is recommending that the square foot for electronic message centers not exceed 50% of the allowable square footage. In addition, we are recommending automatic dimming requirements and illumination standards for all electronic message displays. This will assure the City that electronic message displays regardless of the District will not be too bright especially at night, in any given location.
- The draft code has regulations for school signs which are contrary to the General Attorney Office ruling, of which a copy is attached.
- The draft code has extensive regulation of the sign content for permanent and temporary signs. The City should predominately regulate the time,

place, and manner of signs not the content of the sign. As recommended in the Signage Foundation Model Code a major guiding principle when drafting a sign code is to be "content-neutral to the greatest degree practicable so as to avoid favoring some types of signs – or sign users – over others. This means that sign regulations will not be based upon a sign's message. Instead, the regulations will be based upon the sign's function and its placement on the building or site." The draft sign code is heavily based on content regulation: political, directory, map directory, going out of business and other specific limitations on sign content. The Arizona Sign Association strongly recommends that the City consider going towards a content neutral sign code, which would predominately regulate signs based on the general nature such as temporary and permanent versus the sign type. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content considerations. Also see the attached link to the Small Business Association, which discusses this issue.

<http://www.sba.gov/smallbusinessplanner/start/pickalocation/signage/amendments.html>

If you have any questions or need additional information please feel free to contact me.

Thanks

James B Carpentier AICP
Legislative Consultant
480-773-3756
consultantcommunityplanning@gmail.com

Arizona Sign Association recommendations for the proposed
Glendale sign code amendments

Recommended deletions are in ~~strike out red~~. Recommended
changes to the code are underline red, and the Arizona Sign
Association comments are in ***italics bold***.

6.710 Signs.

Sign standards must be established in the approval of the development plan. A master sign package shall be included as part of the PAD booklet. A master sign package provides design compatibility for all signs and integrates sign design with the architecture of the buildings. The master sign package shall set forth design standards including, but not limited to sign types, placement, size, design, colors, materials, textures, and method of illumination.

Submittal guidelines are recommended for the master sign package so the City can have consistent information for review and approval

7.102 General Provisions. A.

The regulations, requirements, and provisions set forth in this section shall apply to all signs erected, placed, or constructed within the city. A. All signs shall comply with the unobstructed view easement requirements of the City of Glendale, Engineering Design Guidelines for Site Development and Infrastructure Construction as stated in Section (insert section #) of the Engineering Design Guidelines.

The City should cite the section of the view easement and include as visual copy.

7.102 General Provisions F.2.

The maximum total area for the above signs on the premises for any one (1) business may be a maximum of forty (40) square feet plus one (1) square foot of sign area for every lineal foot of business frontage beyond forty (40) lineal feet, as measured by the business frontage. This method of sign area measurement does not apply to large retail users or major medical centers.

The section appears to be out of place as reference is made to above signs, but the application of this section is not clear. If the business frontage is the lot width this method of sign area determination can be difficult from an equity stand point since the wide lots would obtain more signage then narrow lots and these could both have the same lot area.

7.102 General Provisions F. 4.

Such sign may identify the primary businesses, building complex, or center, by name. The sign may show the name of the primary business and up to three (3) principal services when the name alone does not identify the general nature of the primary business, unless specified otherwise. Such sign shall not include advertising copy.

The City should regulate the time place and manner not content of the sign area. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content regulations. Also see the attached link to the Small Business Association, which discusses this issue. The sign code is heavily based on content regulation: political, directory, map directory, going out of business. We strongly recommend that the City consider going towards a predominately content neutral sign code.

<http://www.sba.gov/smallbusinessplanner/start/pickalocation/signage/amendments.html>

7.102 General Provisions

Include the definition in this section for calculation method for individual letters. It is very beneficial that the graphic is included in this section. The of area calculation method is fair since the multiple geometric shapes allows for the area measurement to accurately reflect the letter area with minimal "dead space".

7.102 General Provisions

I. Master sign package.I

When a site is developed with two or more buildings, a master sign package shall be provided for the property, and approved through administrative design review. 2. For tenants of a complex or center, sign permits will only be issued for signs that comply with the previously approved master sign package. A master sign package provides design compatibility for all signs and integrates sign design with the architecture of the buildings. The Comprehensive Sign Program shall set forth design standards including, but not limited to sign types, placement, size, design, colors, materials, textures, and method of illumination. Amendments to the master sign package shall be approved administratively.

- a. Projects that utilize 100% LED illumination in all ground and wall signs shall qualify for a bonus of 25% in area or height. The bonus may be proportioned to area or height. An exception to the 100% LED illumination is allowed for ground or wall signs that will not be sufficiently illuminated with LED

The Master sign package should have some basic language as to the information required for submittal. The administrative process is not clear, we recommend

that Master sign packages be approved and amended administratively. In addition we are recommending that LED illumination be encouraged through incentives, since additional costs are incurred with LED systems.

7.102 General Provisions G.

Signs may be illuminated internally or externally or as specified by the applicable sign criteria: 1. Sign faces or lettering shall function as a filter for an internally illuminated sign internal illumination is the recommended method of illumination. 2. Sign illumination from above shall be fully shielded. Sign illumination from below Up lighting is generally not allowed unless administratively approved. When approved up lighting shall comply with all applicable city ordinances. 3. Illuminated signs shall require a sign permit and comply with the provisions of applicable electrical codes.

Internal illumination for ground and wall signs is proven to be more effective for visibility than externally illuminated signs. Up lighting for ground signs are not recommended due to ineffective visibility.

7.104 Permitted Permanent Signs.

~~6. d. Such signs may identify the individual businesses, building complex, or center by name. The sign may show the name of the business and up to five (5) principal services when the name alone does not identify the general nature of the business. Such signage shall not include advertising copy.~~

~~6. e. These signs may identify the name of the major medical center and up to three (3) principal departments, businesses, offices, or services in the major medical center. Such sign shall not include any advertising copy.~~

The City should regulate the time place and manner not content of the sign area. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content regulations.

7.104 Permitted Permanent Signs. C. 7.

~~These signs may identify the name of the major medical center and up to three (3) principal departments, businesses, offices, or services in the major medical center. Such sign shall not include any advertising copy.~~

The City should regulate the time place and manner not content of the sign area. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content regulations.

7.104 Permitted Permanent Signs. E.

Directional sign. Directional sign requirements are as follows: 1. May be a maximum of six (6) square feet in area and up to three (3) feet in height. 2. Such signs may include identification wording or symbols not to exceed twenty-five percent (25%) for the sign area. 3. Shall not include advertising copy, except for the logo of a business.

The City should regulate the time place and manner not content of the sign area. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content regulations.

7.104 Permitted Permanent Signs. F.

Directory sign. Directory sign requirements for all users except major medical centers and service stations are contained in this section. For major medical centers, see subsection 4 below. The requirements for all other uses are as follows: 1. Properties occupied by three (3) or more buildings shall have an internally illuminated directory that shows the street address, layout of the complex, the location of the viewer and the unit designations within the complex. Directories shall be sufficient in number and placed in locations to insure that law enforcement and emergency personnel can easily locate a particular address or individual unit. 2. Shall not exceed six (6) feet in height or eighteen (18) square feet in area. 3. Shall not include any advertising copy.

The City should regulate the time place and manner not content of the sign area. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content regulations.

7.104 Permitted Permanent Signs. H 1. b.

For all non-residential uses, one (1) freestanding sign shall be permitted with a maximum area of twenty-four (24) square feet. The freestanding sign may include only the name of the facility, building, or organization it identifies. Such sign shall not include any advertising copy. The sign must include the number of the street address, but the area of these numerals shall not be included in calculating the allowed sign area.

See above comment

7.104 Permitted Permanent Signs. H. 3. Office District

a. The sign shall not exceed a height of eight (8) feet. b. The maximum sign area is forty-eight (48) square feet. Single-tenant buildings: the sign may include only the name of the business or building it is intended to identify. Such sign shall not include any advertising copy.

This section proposes a reduction in sign height from 15' to 8', this represents an 87.5% reduction in height. This is not the time to reduce zoning rights. See the

section that addresses sign height in the Signage Foundation Model Code. We recommend that the existing maximum height of 15' be maintained for the Office Districts, or at a minimum that 12' height be maintained to match the commercial and industrial districts.

7.104 Permitted Permanent Signs H. 3. c. d. Office District

~~3 c. Single tenant buildings: the sign may include only the name of the business or building it is intended to identify. Such sign shall not include any advertising copy. d. Multi-tenant buildings and complexes: the sign may identify the name of the building or complex and the name of up to ten (10) businesses within the building or complex. Such sign shall not include any advertising copy~~

~~3.d. Multi-tenant buildings and complexes: the sign may identify identify the name of the building or complex and the name of up to three (3) businesses within the building or complex. Such sign shall not include any advertising copy.~~

The City should regulate the time place and manner not content of the sign area. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content regulations.

7.104 Permitted Permanent Signs H. 5. e.

~~These signs may identify the name of the major medical center and up to three (3) principal departments, businesses, offices, or services in the major medical center. Such sign shall not include any advertising copy.~~

See above comment

7.104 Permitted Permanent Signs J

~~J. Reader-panel signs~~Electronic Message Displays. ~~Reader-panel~~Electronic Message Display sign requirements are as follows: 1. Churches may use up to one-half (1/2) of the allowed freestanding sign area for a reader panel. 2. Public and Private, elementary and secondary schools, and community colleges may have one (1) freestanding reader panel sign not to exceed thirty-two (32) square feet in area and fourteen (14) feet in height. 3. Theaters. a. One (1) wall, fascia, mansard, or parapet sign may contain a reader panel. b. The area of the reader panel shall not exceed seventy-five (75) square feet or the maximum wall sign area otherwise allowed, whichever is less. ~~The reader panel shall be used exclusively for the purpose of identifying entertainment, motion pictures, or special events which occur on the premises.~~ 4. Electronic Message Displays are allowed in Commercial and Industrial Districts subject to the following:

a. No more than one allowed per street frontage

b. The area of the electronic message display may not exceed 50% or 1/2 of the allowed freestanding sign area

1. All electronic message signs shall have static displays. Video, animation and special effects such as traveling, scrolling, fading, dissolving and bursting shall not be permitted. Static message displays shall not be changed more than once every eight (8) seconds. Transitions for all static message displays shall be accomplished by an immediate transition from one message to the next.

2. Electronic message signs shall not increase the brightness level by more than 0.3 foot candles over ambient brightness levels, to be measured as follows:

a. With the sign off or displaying black copy, a foot candle meter shall be used to record the ambient light reading for an area. Said measurement shall occur at least 30 minutes after sunset, from a distance which varies based upon the size of the sign, as follows:

<u>Size of Sign</u>	<u>0-100 SF</u>	<u>101-350 SF</u>	<u>351-650 SF</u>	<u>651-1000 SF</u>	<u>1001+ SF</u>
<u>Distance for Measurement</u>	<u>100 feet</u>	<u>150 feet</u>	<u>200 feet</u>	<u>250 feet</u>	<u>350 feet</u>

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b. With the sign on and displaying full white copy, a second measurement shall be taken from the exact location of the ambient level reading.

c. A difference between the first and second reading of less than 0.30 foot candles is acceptable. Any sign in which the difference between the first and second reading is 0.30 or greater shall be in violation of this Ordinance. Signs in violation of this Ordinance shall be shut off until they are adjusted to meet the conditions herein.

All EMCs are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

Additional regulations are recommended for all reader panel signs. Method to monitor and regulate night time illumination is strongly recommended. In addition automatic dimming technology is needed to allow electronic message displays to vary illumination levels from day to night and for varying ambient light conditions.

Public school districts are not subject to zoning regulations. See the attached determination from the Attorney General's Office.

7.104 Permitted Permanent Signs K. 3.

Pump-topper sign. a. Shall not exceed three (3) feet in area and does not count towards total sign area for the business. b. ~~Such signs may display instruction, price, or advertising copy pertaining to any product sold on site.~~

The City should regulate the time place and manner not content of the sign area. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content regulations.

7.105 Permitted Permanent Signs for Pedestrian Retail (PR)

~~General A. 1. A wall, fascia, mansard, parapet, projecting or window identification sign may identify the name of the business and up to three (3) principal services when the name alone does not identify the general nature of the business. It may also include the street address. Such signs shall not include advertising copy. d2. Awning, blade, and shingle signs may only identify the name of the business.~~

The City should regulate the time place and manner not content of the sign area. Note the attached model code by the Signage Foundation, which includes a good legal discussion in regards to sign content regulations.

7.104 Permitted Permanent Signs. H. 2.

Freestanding sign. One (1) freestanding sign shall be permitted per project, with the following exception for multiple street frontages in the office, commercial and manufacturing districts: a. One (1) sign may be permitted for each street if both frontages adjacent to the site are at least three-hundred thirty (330) feet.

b. Two (2) signs may be permitted for each street if the frontage adjacent to the site is at least eight hundred (800) feet. The minimum distance between two (2) signs on the same street frontage shall be three-hundred thirty (330) feet.

c. Additional ground signs are allowed for each 330' of additional street frontage over 800' of frontage.

This will accommodate larger projects that will require additional ground signs to provide for adequate freestanding signs.

7.108 Exempt Signs. B.

Signs not viewable beyond the boundaries of the property upon which they are located shall be exempt from the provisions of the article, except those public safety provisions contained in Section 7.102

The ASA recommends that this section not be eliminated as proposed in the draft code. This type of exemption is typical in other ordinances and works well.



OFFICE OF THE ATTORNEY GENERAL
EDUCATION AND HEALTH SECTION
MEMORANDUM

Direct Line - 602-542-8892
FAX No. - 602-364-0700

TO: Arizona School Facilities Board
1700 W. Washington, Suite 230
Phoenix, Arizona 85007

FROM: Debra G. Sterling, Assistant Attorney General

SUBJECT: Applicability of Zoning Ordinance to School Districts

DATE: February 22, 2007

This is in response to the Board's request concerning the applicability of a city or town's local zoning regulations to school district. The following analysis and conclusion was provided to the Board at the June 25, 2001 meeting and remains applicable.

In a 1983 Attorney General's Opinion, the Arizona Attorney General's Office opined that school districts were exempt from the building codes of cities and towns (Arizona Attorney General's Opinion I83-052). That opinion was based upon a case that held that political subdivisions, such as school districts, acting in their governmental capacity are exempt from regulations of other political subdivisions, (City of Scottsdale v. Municipal Court of Tempe, 90 Ariz. 393, P.2d 637 (1962)). The Attorney General's Office subsequently reversed that opinion when the Legislature amended A.R.S. § 34-461 to specifically provide that local building codes applied to construction of public buildings, including new construction of school district buildings (Arizona Attorney General's Opinion I86-033). However, A.R.S. § 34-461 only refers to building codes and not zoning ordinances and regulations. Therefore, in the absence of a specific statute requiring a school district to follow local zoning ordinances and regulations, a school district is exempt from such regulations provided they are acting in their governmental capacity.

Please contact me if you need any additional information or have any further questions.



March 23, 2010

Maryann Pickering, AICP, Zoning Administrator and
Tabitha Perry, Principal Planner
City of Glendale City Hall
5850 West Glendale Avenue
Glendale, AZ 85301

Via electronic mail

RE: **City of Glendale Draft Ordinance and CI Design Guidelines
Regulating the Siting of Wireless Communications Facilities**

Dear Ms. Pickering and Ms. Perry,

As the representative of the wireless industry in Arizona, we write to you, as your business partner, about the proposed comprehensive zoning ordinance update as it relates to the siting of wireless telecommunications facilities.

We applaud your efforts in creating an ordinance that will foster the consistent application of zoning regulations in Glendale. This consistent application will enable your citizens and businesses to receive the cutting edge service and technology that a well planned wireless infrastructure provides. It is important, in today's technology driven environment, to have an ordinance and use permit process that Wireless Carriers and Tower Providers, as well as planning staff, clearly understand to promote a streamlined review process that protects Glendale's esthetic fabric.

The Arizona Wireless Association ("AZWA") is the State of Arizona's trade association representing the wireless industry. The mission of AZWA is to cultivate relationships within the wireless industry and create a unified voice that supports the development of quality wireless networks, the enhancement of the communities we serve, and a spirit of charitable giving. AZWA's members include both wireless carriers that deliver voice and data services and operators of the facilities used by the carriers, such as towers, rooftop wireless sites, and similar structures. We hope to partner with Glendale to facilitate the deployment of wireless infrastructure in a manner that is responsive to your community's unique concerns.

To open our dialogue on the Drafts, we have general comments that we would like to share.

1. For ease of administration and to insure consistency, we recommend the Draft CI Design Guidelines be integrated into the Draft Ordinance.
2. If a proposed site does not fit the ordinance guidelines, we recommend the City of Glendale implement a Use Permit process to entertain all applications based on their merit.
3. There are a variety of structures used by the wireless industry; we recommend clarification of the Draft Ordinance reference to the ¼ mile rule and its application to alternative tower types and collocatable vs. non-collocatable existing structures.
4. We recommend that the new ordinance provide a short process for the deployment of temporary cellular facilities at events in order to provide wireless voice and data services to the fans, event-providers and sponsors.
5. Based on our experience with the Phoenix ordinance update, we recommend a formal "1 Year Review" of the New Glendale Ordinance to adjust for any unforeseen conflicts or problems. This provides both the City, and the wireless industry, the opportunity to address unforeseen issues as partners and eliminates the tension and work associated with one-off text amendments.
6. Finally, it is important that the ordinance rules are:
 - Consistent with the current wireless industry equipment requirements, and
 - Flexible to accommodate future technology requirements for an industry that is rapidly changing.

Since time is of the essence, we respectfully request an editable version of the Draft Ordinance and Draft CI Design Guidelines in Microsoft Word. The opportunity to electronically submit suggested language to the Drafts will facilitate the conversation and allow your staff to focus on the issues, rather than the administrative aspects of editing documents.

We appreciate this opportunity to begin a healthy dialogue and we thank you for taking the time to read through our general comments.

Best Regards,

/s/

John Stevens
President
AZWA –Arizona Wireless Association
1049 W. Horseshoe Avenue
Gilbert, AZ 85233
John@AZWA.org

Proposed Zoning Ordinance Language

7.600

7.600 WIRELESS COMMUNICATION FACILITIES.

7.601 General Provisions.

- A. All wireless communication facilities shall have an identification plaque no larger than twelve (12) inches by twelve (12) inches permanently affixed which clearly identifies the name, address, and emergency phone number of the provider. No other identification or sign as defined by the Zoning Ordinance is permitted on monopoles or related facilities.
- B. The minimum setbacks for the zoning district shall apply to all towers, equipment shelters, and accessory buildings. The dimensions of the entire lot or parcel shall apply and not the dimensions of the leased area.
- C. Adequate screening from off-site views shall be required as determined at the time of Design Review.
- D. Any monopole, tower, or alternative tower structure which is not in use for six (6) months shall be removed by the property owner. The removal shall occur within ninety (90) days of the end of such six (6) month period. If the alternative tower structure includes an extension or replacement of the original structure, the structure shall be returned to the original height and condition.

7.602 Monopoles.

- A. New monopoles must be separated by a minimum distance of one-quarter ($\frac{1}{4}$) mile from the property where any other monopole is located.
- B. Monopoles must be setback from residential zoned properties a minimum distance of twice the height of the height of the tower.
- C. Monopoles must be setback from any arterial or major arterial street a minimum of seventy-five (75) feet.
- D. Monopole towers and antennas shall not be illuminated or display warning lights unless

required by the Federal Aviation Administration (FAA) or other federal or state authority.

- E. Any access road to a monopole site shall be paved.
- F. One (1) paved parking space shall be provided on site unless otherwise provided on adjacent property.
- G. All new monopoles over fifty (50) feet in height shall be constructed to allow for collocation by other wireless providers. The applicant shall demonstrate that the engineering of the tower and the placement of ground mounted facilities will not preclude other providers. The owner of the proposed tower must certify in writing that the tower will be available for use by other wireless communication providers on a economically reasonable and non-discriminatory basis.

7.603 Amendments to Existing Monopoles.

- A. Existing monopoles include all wireless related monopoles or towers approved or amended through the special use district (SUD) prior to May 28, 1998.
- B. An amendment to existing monopole is required to add additional antennas, add height to the monopole, replace the monopole with a larger pole, or add additional ground equipment to the facility.
- C. Any amendment to an existing monopole requires approval of a conditional use permit as outlined in Section 3.902(F).

7.604 Alternative Design Structures and Towers

- A. Rooftop Mounted Antennas.
 - 1. Roof mounted antennas may exceed the maximum height of the zoning district but shall not extend more than ten (10) feet above the existing building height.
 - 2. The antenna array scale, height, and visibility shall be minimized.
 - 3. Equipment shelters may locate on the building roof if screened from view of surrounding properties.
- B. Building Mounted Antennas.
 - 1. Antennas shall not extend above the height of the wall on which they are located or

integrated.

2. Antennas shall not project more than twelve (12) inches from the existing building wall.
3. Equipment shelters may be located on the building roof if screened from view of surrounding properties.
4. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses. Building mounted antennas on residential uses is not permitted.

C. Alternative Tower Structure.

1. The maximum additional height permitted by extension of an existing pole or by replacement pole is fifteen (15) feet.
2. The maximum increase in pole diameter from the existing pole by the replacement pole is fifty (50%) percent.
3. The maximum width of the antenna array shall be four (4) feet.
4. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.



VALLEY PARTNERSHIP

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Sunbelt Holdings

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Arizona State Land Commissioner

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Phoenix Community Alliance

SECRETARY
Mindy Korth
CB Richard Ellis

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Rick Hearn
Vester

Don Henninger
Phoenix Business Journal

Steve Hoover
ValleyCrest Landscape Development

Curt Johnson
Coe & Van Lee Consultants

Doug Laventhal
Evergreen Devco

Rusty Mitchell
Luke Air Force Base

Scott Nelson
Westcor

David Scholl
Scholl Partners

Vicky Smotherman
RED Development

Debra Stark
City of Phoenix

Karrin Taylor
DMB Associates, Inc.

GENERAL COUNSEL
Michael Phalen
Fennamore Craig

March 25, 2009

Ms. Maryann Pickering
Zoning Administrator
Planning Department
City of Glendale
5850 West Glendale Avenue, Suite 212
Glendale, Arizona 85301

Delivered via e-mail

Dear Ms. Pickering:

Thank you for your work to engage Valley Partnership, on behalf of our 500+ Members of the commercial development industry, in the process to update the City of Glendale Zoning Ordinance.

Overall, we found the draft Zoning Ordinance, chapters 1 and 3, to be well organized and thought out. After thorough review, our Members communicated a number of inquiries, recommendations and solutions, based on their extensive experience in other Valley communities.

For your consideration, attached are comments and suggestions that we believe will further improve the commercial development portions of the Zoning Ordinance and help the City reach its goal of responsible development for its current and future citizens.

I look forward to meeting with you to discuss these items.

Sincerely,

/s/

Alisa Lyons
Vice President, Government Affairs

Cc: Mr. Stephen Cleveland
Mr. Jon Froke

2817 EAST CAMELBACK ROAD
SUITE 510
PHOENIX ARIZONA 85016

Phone: 802-255-7544
Fax: 802-255-7545
info@valleypartnership.org

Valley Partnership Review
City of Glendale Zoning Ordinance Draft Chapters 1 and 3

1.208 Applicability

3. "Any substantial request to modify a PAD or PRD will require an amendment as prescribed by this ordinance."

Recommendation: To avoid subjective application of this provision, Valley Partnership recommends inclusion of parameters to define "substantial" or reference to another section of the ordinance that defines "substantial".

1.402 Limitations on Nonconforming Buildings and Uses

E. "... The following uses shall be removed or made conforming within the specified amortization period. Said amortization period shall commence upon the effective date of this ordinance."

Valley Partnership is concerned about any provision that requires existing, approved uses to comply with a new set of zoning requirements. We do not believe an amortization period in which an approved use must be modified is legal.

Recommendation: Remove Section E to avoid legal challenges.

3.102 Planning Commission

E, 8: ~~"To hear requests for design approval on certain freestanding identification signs as provided by Section 7.104 of this ordinance."~~

Inquiry: Which body will now review design of freestanding identification signs?

3.202 Complete Application

~~"An applicant will be notified within ten (10) working days if the application is incomplete."~~

Inquiry: What will be the defined timeframe within which the applicant will be notified?

3.501 General

"Areas, upon annexation to the City of Glendale, shall, until officially zoned by City Council, be considered to be zoned as shown on the official zoning map of Maricopa County at the time of annexation. This zoning shall be effective for a maximum of six (6) months after annexation. City Council approval of the annexation may constitute authorization for the City to initiate action to zone the property within six (6) months of the annexation. After that time, the comparable Maricopa County district will take effect."

This section seems to read as follows:

1. Property is annexed into the City.

2. It is zoned, as required by State Statute, to a City Zoning Classification most closely comparable to the County Zoning it at the time it was annexed.
3. This zoning expires after 6 months.

Automatic expiration of a comparable Zoning Classification, in the absence of proactive Council action, seems unwise. What Zoning Classification does the property retain after 6 months if the Council does not act?

Recommendation: Valley Partnership would like the opportunity to discuss this section further with Staff to better understand the intent and effect of this section.

3.602 When Review is Required

H: "Any change to the exterior color of a building."

Repainting the exterior of a building may be required from time to time due to normal wear and tear and color fading. The new color may appear more intense than the faded color.

Recommendation: Adding the word "significant" before "change" and providing a definition or description of "significant".

3.7.01 General

"Appeals to the Board of Adjustment, set forth in Section 3.103(E), may be made by any person aggrieved or by any officer, department or Board of the City affected by any decision or interpretation made by the Planning Director while administering this ordinance.

This section seems to allow an officer, department or Board to appeal a decision made by the Planning Director. Valley Partnership is concerned about the uncertainty a disagreement between one City department and another could create for a project in Glendale.

Recommendation: Valley Partnership would like the opportunity to discuss this section further with Staff to better understand the intent and effect of this section.

3.703 Effect of Application

"Any variance or appeal application, unless otherwise provided by law, shall stay all proceedings in the matter appealed from, unless the Planning Director certifies that a stay would cause imminent peril to life or property."

Inquiry: Was the intent of this paragraph to stay only those activities that received a variance but are being appealed? If not, it is unclear why a stay of proceedings would be required for a use that is already prohibited.

Recommendation: Valley Partnership would like the opportunity to discuss this section further with Staff to better understand the intent and effect of this section.

3.705 Findings for Appeals

A. "The Planning Director did nor did not . . . "

Recommendation: Correct typo. Replace "nor" with "or".

3.705 Findings for Appeals

A, B and C.

A and B seem to be subsets to C.

Recommendation: Clarify that C is the determining factor, with A or/and B as more detailed descriptions of the error made.

3.804 Master Development Plan

A. "All applications for the Neighborhood Shopping Center or Community Shopping Center districts shall include a Master Development Plan for the area of the rezoning request. The plan, at a minimum, will address:

1. The location of all proposed buildings, plazas, and pedestrian walkways.
2. The locations of all drive aisles, parking, loading and service areas.
3. The location of all landscaping, retention areas, entry features and perimeter walls.
4. The location of all required public street improvements.
5. A design theme for the center showing the architecture, materials and colors that will be used.
6. The location of all proposed freestanding identification signs.
7. On-site lighting performance measures.
8. The location, type and size of individual uses planned for the center.

Attraction of commercial development projects in Neighborhood and Community Shopping Center districts is of great benefit to both the City, its Citizens and the development community. In the current development climate, however, adding substantial upfront cost to commercial development will create a further suppressing of this critical market.

In a good market, and especially in this challenging market, it is highly unlikely that, at the time of rezoning, this level of detail will be available to many desirable and quality development projects. This requirement alone will preclude many valuable projects from locating in the City. This would be particularly true within redevelopment areas of the City.

Recommendation: Valley Partnership strongly recommends that the Master Development Plan be allowed to be submitted and approved along with zoning, but not required to be concurrently approved. This will allow those projects that have this level of detail available to move forward in a more expedited manner, while encouraging those who require rezoning to garner this detail the option to submit a Master Development Plan at a later date.

3.903 Public Hearing

~~"The Planning Commission shall hold at least one (1) public hearing on the application. Prior to the public hearing, notice shall be provided as described in Section 3.806.~~

The Planning Commission shall not consider any conditional use permit until the request is presented during a public hearing. No public hearing shall be conducted without first providing notice to the affected parties."

Inquiry: What was the purpose of this change? When would a Planning Commission consider a request outside of a public hearing?



**VALLEY
PARTNERSHIP**

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Scott Nelson
Westcor

David Scholl
Scholl Partners

Vicky Smothermon
RED Development

Debra Stark
City of Phoenix

Karin Taylor
DMB Associates, Inc.

GENERAL COUNSEL
Michael Phelan
Fennemore Craig

April 17, 2009

Ms. Maryann Pickering
Zoning Administrator
Planning Department
City of Glendale
5850 West Glendale Avenue, Suite 212
Glendale, Arizona 85301

Delivered via e-mail

Dear Ms. Pickering:

Thank you for your work to engage Valley Partnership, on behalf of our 500+ Members of the commercial development industry, in the process to update the City of Glendale Zoning Ordinance.

As promised, we have reviewed chapters 4 and 5. After thorough review, our Members communicated a number of inquiries, recommendations and solutions, based on their extensive experience in other Valley communities.

For your consideration, attached are comments and suggestions that we believe will further improve the commercial development portions of the Zoning Ordinance and help the City reach its goal of responsible development for its current and future citizens.

I look forward to meeting with you to discuss these items.

Sincerely,

/s/

Alisa Lyons
Vice President, Government Affairs

Cc: Mr. Stephen Cleveland
Mr. Jon Froke

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Valley Partnership Review
City of Glendale Zoning Ordinance Draft Chapters 4 and 5

Table 5.6:

Recommendation:

C-O, The uses below are appropriate and desirable uses within a Commercial Office district:

- Finance Institutions: Permitted (needs to be added)
- Business support services: Permitted
- Parking structures and parking lots: Accessory Use
- Personal services: Permitted
- Religious facilities: Permitted
- Restaurants: Permitted, require a Use Permit for liquor sales
- Restaurants integrated: Permitted
- Retail stores: Permitted with size restriction

G-O, The uses below are appropriate and desirable uses within a General Office district:

- Finance Institutions: Permitted (needs to be added)
- Offices, professional, administrative, medical, dental: Permitted
- Public utility facilities: Subject to Conditions
- Religious facilities: Permitted
- Restaurants: Permitted
- Restaurants integrated: Permitted
- Retail stores: Permitted with size restriction

Table 5.6:

Inquiry: Would tattoo stores and massage services (such as Massage Envy) be permitted under Personal Services? This question also applies to Tables 5.7 and 5.8.

5.609 Parking, D:

“No vehicle maneuvering or parking area shall be in the front yard of the development except for ingress and egress to allowable parking areas.”

Recommendation: Confirm this requirement is intended only for the RO district.

Table 5.7:

Recommendation: Confirm “Commercial off-street parking” means a business the primary focus of which is to “sell” parking spaces on an hourly or daily basis.

Provide further description of “Convenience Uses”.

“Parking structures – refer to 5.707” Typo. Perhaps should read “refer to 5-705”.

Permit indoor recreational facilities less than 7,500 square feet without further restriction. Smaller scale indoor recreational uses, such as personal gyms, yoga studios, dance studios, etc. are highly desirable, positive additions to the Pedestrian Retail district and should be permitted by right.

5.704, D 1 and 2:

- “1. Except in cases of public emergency ... no permit for the demolition of any building in the PR district shall be issued unless an application for a building permit for work to replace the building ... has been approved by the Development Review Team.”
2. The Planning Director ... may determine that a demolition permit is warranted before an application for a new building permit is submitted.”

Inquiry: Is #2 only applicable if there is a public emergency or designation of an unsafe structure? Are there other conditions in which the Planning Director would grant a demolition permit before an application for a new building permit is submitted?

5.704, D3: "Landscaping shall be in accordance with a plan approved by the Dev Review Team."
Recommendation: Provide detail as to the City's expectations of how a property subject to this provision would be required to landscape a vacant lot.

5.704, F1: "... at least seventy (70) percent of the total area of all new or reconstructed first story storefronts that face a public street shall be transparent."

Concern: These glazing requirements are inappropriate for our climate. Such glazed areas waste energy, and conflict with ceilings or roof structures, and safety concerns.

Solution: Valley Partnership has discussed the ground-floor glazing standard for Pedestrian Retail use with many Valley communities that recently updated their zoning ordinances. The acceptable standard is:

- a. At least 30 percent of the ground floor wall area between two and ten feet above grade shall consist of transparent glazing;
- b. Glazing required by this ordinance should be concentrated in areas of high pedestrian activity and, to maximize energy efficiency, should be used in conjunction with shade features, including awnings, shaded sidewalks, deeply recessed windows, and covered porches or arcades.
- c. Transparent glazing required by this ordinance must be maintained without interior or exterior obstructions that substantially limit visibility, including, but not limited to, window signs, interior shelving, or window coverings (except window blinds) during hours of business operation. This section shall not apply to signage, shelving, displays, or the like, set back at least three feet from the glazing surface.

5.704, G2: "For each street frontage, the total of all blank façade segments shall not exceed seventy (70) percent of the street level façade of the structure."
Recommendation: This is acceptable, assuming the glazing provision is modified to 30%.

5.705, B2: "The overall architectural design parking facilities shall be the same as a building with occupied floor space."
Recommendation: Glazing requirements on any scale may not be compatible with the design of parking facilities. Make it clear that glazing requirements do not apply to parking facilities.

Table 5.8: **Recommendation:**
NSC: The uses below are appropriate and desirable uses within a Shopping Center district:
— Veterinary clinics: Permitted

SC, The uses below are appropriate and desirable uses within a Shopping Center district:
— Veterinary clinics: Permitted

CSC, The uses below are appropriate and desirable uses within a Community Shopping Center district:
— Indoor recreational facilities less than 7,500 SF: Permitted
— Veterinary clinics: Permitted

C-1, The uses below are appropriate and desirable uses within a C-1 district:

- Automobile repair, including major engine/transmission repair: Subject to Conditions
- Automobile repair, minor more than 300 feet from residential: Permitted
- Business trade schools: Permitted
- Emergency medical care with 24 hour ops: Permitted
- Indoor recreational facilities less than 7,500 SF: Permitted
- Veterinary clinics: Permitted

C-2, The uses below are appropriate and desirable uses within a C-2 district:

- Automobile repair, including major engine/ transmission repair: Subject to Conditions
- Indoor recreational facilities less than 7,500 SF: Permitted

C-3, The uses below are appropriate and desirable uses within a C-3 district:

- Indoor recreational facilities less than 7,500 SF: Permitted

5.804:

Inquiry: Is the Maximum Structure Height intended to be increased to 35 feet?

Table 5.902:

Recommendation:

B-P: The uses below are appropriate and desirable uses within a Business Park district:

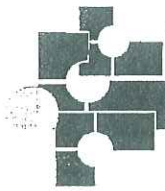
- Lodges and fraternal associations: Permitted
- Wholesale sales and distribution of finished goods: Permitted
- Wood projects, finished: Permitted

M-1: The uses below are appropriate and desirable uses within a Light Manufacturing district:

- Dyeing and finishing of textile projects: Permitted
- Laboratories, medical, clinical, and dental: Permitted
- Personal services: Permitted
- Public utility facilities: Permitted
- Self-storage facilities: Permitted
- Wholesale sales and distribution of finished goods: Permitted

M-2: The uses below are appropriate and desirable uses within a Heavy Manufacturing district:

- Dyeing and finishing of textile projects: Permitted
- Motion picture production, etc, not including towers: Permitted
- Personal services: Permitted
- Public utility facilities: Permitted
- Self-storage facilities: Permitted



GLENDAL

CITY OF GLENDALE
ZONING ORDINANCE UPDATE
DEVELOPER/CONSULTANT MEETING

February 12, 2009
11:00 am - Room B2

Name	Company	Address	Phone	Email
KENDALL BAXLEY	HBACA	7720 N. 16TH ST. PHX, 85020	602-244- 6545	BAXLEY@HBACA.ORG
LORIE DEVER	CMX	7740 N. 16th St PHX 85020	602-567- 1900	LDEVER@ CMXENGINEERING.COM
Alisa Hygon	Valley Partnership	2817 E Camelback Rd #510	602-266- 7844	algon@ valleypartnership.org
Andrew TICE	Montalbano Homes	1860 W. University Dr. Ste 111 Tempe AZ 85281	480-720-2018	atice@montalbano.com
Debra Duerf	Valley Forward Assoc.	1124 N. 86th Way Scottsdale 85257	602- 882-8200	azgals@cox.net
Courtney bellinus	Capitol Consulting AZ Multihousing	P.O. Box 13116 Phx., AZ 85002	602-712-1121 B	Courtney@capitolconsultingaz.com
Cleenview Johnson	Valley Forward	AZ State Parks 1300 W Washington PHX 85007	602 364-0491	gjohnson@azstateparks.gov
Jan Fuchs	CITY OF GLENDAL			

Developer / Consultant Meeting

2/12/09

- formbased code - involve all departments that would use it.
- keep flexibility of PAD (Westgate/Kalamata)
- possibility of PTO/210
- PAD has lots of engineering requirements up front
- photometrics / grading / drainage up front - streamline
- Valley Forward promote sustainability recreational opportunities with the industrial
- administrative review discussion
what's public and what can be done at staff level - appeals process
- flexibility of PADS to allow more flexibility of site plan locations
- zoning almost too restrictive these days
- landscape reviews easier since LA position gone
- landscape ordinance should encourage more sustainability
- graywater used for landscape - Tucson ordinance
- zoning super flexible and more specific requirements come from design codes, building codes, etc.

- connectivity between urban cores
- Surpise update now - visual preference
- BQAZ transportation comments
 - specific questions and comments
 - transportation planning framework



GLENDAL
2

CITY OF GLENDALE
ZONING ORDINANCE UPDATE
SIGN COMPANIES MEETING

February 17, 2009
11:00 am - Room 2A

Name	Company	Address	Phone	Email
Margann Pickering	Glendale Planning			
JOSH GOINS	Young Ekater Sign Co.	6725 W. Chicago St.	(480) 449-3726	jgoins@yesco.com
Brent VanDeman	Boatz & Duke Sign Co.	4028 W. Whittier Pkwy, AZ	602-272-9356	brent@boatzandduke.com
Jim May	COE Planning		(623) 930-2594	jmay@glendaleaz.gov
Jan Froke	C.O.G. Planning		623.940.2585	
CHUMTTA HURD	CHRISTY SIGNS	1825 W. S. BLK CYN HWY	602-242-4188	CHUMTTA@CHRISTY SIGNS.COM
Diana Figueroa	Planning			

①

2/17/09

20 Update Signs

- relief in Co, better allocate square footages
- office clients want commercial standards
- match building appropriateness
- spacing location of monument signs
- linear frontage / not deep properties should be allowed more
- fascia band up higher is okay lower level implies all businesses are on that level
- need some flexibility for locating on tenant space
- Co packages are done a lot more at staff level

Surprise, Mesa, Gilbert, Phoenix

- Separate DR board is difficult
- Tempe has one
- Goodyear has predetermined criteria and those parameters can be done at staff level
- Gilbert - Sandwich board signs or Tempe for Mill Avenue

freeway facing signs?

(2)

- Goodyear (others) shyling about from cabinet signs
- calculation of signarea
 - most cities are 1:1
 - 775' from ROW, you get a little more like 1 1/2 for 1 for primary
- definition of frontage
- special allowance for big box
- Peoria/Scottsdale allow signs based on square footages
- monument signs
 - Mesa - max 12 and then extra 20% 14.4
 - Phoenix - up to 25'
- most separation is 100' and both streets
- 10 items of info - not including in address - name of center can be a burden
- reader boards - International Sign Association has information on what works, what doesn't
 - CMP in Phoenix
 - 2 second change is industry standard
- digital images on buildings
- initial fee up front to start process - no complex process

(3)

- better estimate / simple fee process
- interior design guidelines
 - trademarks
 - allowable
- modifiers
 - typical to have a lot more than 3
 - p rules about businesses within businesses - those don't count towards modifiers
- maybe change bldg box size to 60-80 ft more typical of grocery store size
- freeway sign
 - have a max (parameters) and allow flexibility from there
 - 48' start - 60-80 is common
 - 600 ft is ~~that~~ the starting point for signs 10x15 panels typical
- Simple - Phoenix is consistent/easy
- emerging technology
- business friendly
- classes for contractors
- consistency on reviews at staff levels
- simplicity helpful to all
- Signs not tied to other site development

From: Kendall Baxley [baxleyk@hbaca.org]
Sent: Wednesday, March 18, 2009 11:18 AM
To: Pickering, Maryann
Subject: Review of Zoning Articles 1 and 3

Good morning Maryann,

This communication is to serve as notification that the Home Builders Association of Central Arizona has reviewed Articles 1 and 3 of the City of Glendale Zoning Ordinance and has no comments or requests for clarification relative to either Article.

The HBACA appreciates the opportunity afforded by the City of Glendale of being a valued stakeholder in this important process and look forward to the release of further updates.

Best always,
Kendall

Kendall Baxley, AIA :: Sr. Deputy Director Municipal Affairs
Home Builders Association of Central Arizona (HBACA)
7720 N. 16th St. | Suite 310 | Phoenix AZ 85020
O: 602-274-6545 | fax 602-234-0442 | M: 480-205-5276
www.hbaca.org

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Planning Department Staff Report

DATE: June 2, 2011 **AGENDA ITEM:** 3

TO: Planning Commission

FROM: Tabitha Perry, Principal Planner
PRESENTED BY: Karen Stovall, Senior Planner

SUBJECT: **REZONING APPLICATION ZON11-02: THE RESERVE AT EAGLE HEIGHTS PAD AMENDMENT – 7574 WEST ROSE GARDEN LANE**

REQUEST: Amend the development standards of the existing The Reserve at Eagle Heights PAD (Planned Area Development).

APPLICANT/OWNER: K. Hovnanian Homes / Sage Luxury Homes.

REQUIRED ACTION: The Planning Commission must conduct a public hearing and determine if this request is in the best long-term interest of this neighborhood and consistent with the General Plan.

RECOMMENDATION: The Planning Commission should recommend approval of ZON11-02, subject to one stipulation.

PROPOSED MOTION: Move to recommend approval of ZON11-02 subject to the stipulation contained in the staff report.

SUMMARY: This request will amend the development standards of the existing The Reserve at Eagle Heights PAD to change the side yard setbacks from a minimum of 10 feet per side to a minimum of 6 feet per side with an aggregate setback of 15 feet.

COMMISSION ACTION: Motion made by Commissioner _____ to recommend approval subject to the staff report stipulation. Motion seconded by Commissioner _____. The motion was approved ___ to ___.

DETAILS OF REQUEST:

General Plan Designation:

The property is designated as LDR (Low Density Residential, 1-2.5 dwelling units per acre).

Zoning District:

The current zoning is PAD.

Property Location and Size:

The property is located at the northwest corner of 75th Avenue and Rose Garden Lane and is approximately 44.49 acres in size.

History:

The existing zoning district was approved through ZON05-06, which was approved by City Council on November 22, 2005. The existing PAD permits single-family residential land uses. The Reserve at Eagle Heights subdivision was originally platted in 2007 with 84 lots. Due to two lot ties, the subdivision now has 82 lots. A total of 14 of these have been built upon or will soon be constructed.

Design Review:

A design review application for the proposed house product has been submitted concurrently with the rezoning application.

Project Details:

The applicant wishes to purchase the remaining 68 lots and offer new house product which consists of six different floor plans. The minimum lot width in the subdivision is 85 feet. The PAD requires minimum side yard setbacks of 10 feet per side. The floor plans proposed by the applicant have a minimum width of 70 feet; therefore, the applicant is unable to meet the required side yard setbacks. This request would amend the existing side yard setbacks from a minimum of 10 feet per side to a minimum of 6 feet per side with an aggregate setback of 15 feet.

DEVELOPMENT STANDARDS	EXISTING PAD	PROPOSED PAD
Minimum Lot Area	10,000 square feet	10,000 square feet
Minimum Lot Width	85'	85'
Minimum Lot Depth	125'	125'
Minimum Front Yard Setback ¹	15'	15'
Minimum Rear Yard Setback ²	25'	25'
Minimum Side Yards	10'	6' ³
Minimum Distance Between Buildings on Adjacent Lots	20'	15'
Maximum Lot Coverage	50%	50%
Maximum Building Height	30' or 1 story	30' or 1 story

1. Minimum 20' from back of sidewalk to face of front facing garage door.
2. Minimum 3' stagger between adjacent lots, range of 6' of stagger on any one block (19'-25').
3. Aggregate of 15' and a minimum of 15' between dwelling units on adjacent lots.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Plan:

On April 13, 2011, the applicant mailed 119 notification letters to adjacent property owners and interested parties inviting them to a neighborhood meeting on April 25, 2011. Excluding City staff and the applicant's team, eight people attended the meeting. Issues discussed include the proposed paving materials for driveways, color palettes offered for the new homes, whether RV garages or garage door upgrades would be offered, if the existing lakes would remain and when clean-up of the project landscaping could be expected. To address the questions/concerns noted at the meeting, the applicant responded that decorative pavement for driveways will be provided as a standard with the new homes. The proposed color palettes will be consistent with the existing homes. Due to the lot sizes and sizes of the proposed floor plans, RV garages will not be offered. A variety of garage doors will be offered that will be consistent with those on the existing homes. The existing lakes will remain in place as they are part of the Arrowhead Ranch Reclaimed Water System. Clean-up of the project landscaping will take place once the applicant purchases the remaining lots and begins to manage the homeowner's association. The Planning Department received an e-mail from a resident of The Reserve at Eagle Heights subdivision who supports the request. The applicant's Citizen Participation Final Report is attached.

Planning Commission Public Hearing:

A Notice of Public Hearing was published in *The Glendale Star* on May 12, 2011. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on May 13, 2011. The property was posted on May 13, 2011.

STAFF FINDINGS AND ANALYSIS:

Findings:

- The proposed amendment is consistent in substance and location with the development objectives of the General Plan and any adopted specific area plans.
- The proposal will be compatible with other existing and planned development in the area.
- The proposal will result in a quality living environment and accommodate desired lifestyles.
- The proposed project amenities including trails, landscaped areas, entry features, decorative theme walls, and other public and commonly owned open space are adequate and appropriate for this development.
- The type and quality of house products will be consistent with the intended character of the development.

Analysis:

- The PAD zoning district is the most appropriate zoning district for implementing the existing LDR General Plan land use designation.
- The proposed modifications to the existing PAD are consistent with the original intent of The Reserve at Eagle Heights development plan.

- The proposed development plan will allow the new home builder to use its proposed house products to complete this existing single-family residential subdivision. The proposed house products are of similar quality and will offer styles, colors, and materials that are consistent with the homes in the existing subdivision.

RECOMMENDATION:

The Planning Commission should recommend approval of this request, subject to the following stipulation:

Development shall be in substantial conformance with the development plan outlined in The Reserve at Eagle Heights PAD document, date stamped May 2, 2011.

ATTACHMENTS:

1. Applicant's Project Narrative, date stamped April 29, 2011.
2. PAD booklet, date stamped April 29, 2011.
3. Citizen Participation Final Report (without mailing labels), approved April 28, 2011.
4. E-mail in support, May 17, 2011.
5. Vicinity Zoning Map.
6. Aerial Photograph, dated November, 2008.

PROJECT MANAGER:

Karen Stovall, Senior Planner (623) 930-2553
kstovall@glendaleaz.com

REVIEWED BY:


Planning Director

KS/df


Deputy City Manager

CITIZEN
PARTICIPATION
FINAL REPORT

THE RESERVE AT EAGLE HEIGHTS PAD
AMENDMENT – ZON11-02
7574 W. ROSE GARDEN LANE
NWC OF 75TH AVE. AND ROSE GARDEN

PREPARED BY
KIRSTEN HOWE

APRIL 27, 2011

APPROVED
4/28/11
K. Howard

K. Hovnanian Homes is requesting a rezoning amendment to the existing The Reserve at Eagle Heights Planned Area Development (PAD) to allow reduced side yard setbacks as an aggregate of 15', minimum of 6', with a minimum of 15' between adjacent dwelling units where 10' side yard setbacks are required in the existing PAD zoning district. This request is necessary to build 70' wide luxury house products that K. Hovnanian Homes is proposing which are most comparable to what has been built within the community.

The Planning Department determined that a neighborhood meeting was the most appropriate public notification technique for this project. This meeting was held in the first model home at The Reserve at Eagle Heights on April 25, 2011 at 6:00pm.

The notification letters for this neighborhood meeting were sent out to all property owners within 300' of the site, including Homeowners Associations and Registered Neighborhood Groups, and their representatives. Notification letters were also sent to all Interested Parties and individuals on the Additional Notification List provided by the City of Glendale. These notification letters were sent out on April 13, 2011.

The total number of individuals and groups that were sent notification letters about the neighborhood meeting was 119. The total number of individuals that were notified and participated in the neighborhood meeting was 14. This number includes 3 individuals representing K. Hovnanian Homes, 2 individuals representing the City of Glendale, 1 individual representing the selling entity of the transaction, Councilmember Martinez, and 8 property owners within The Reserve at Eagle Heights (Walter and Mary Kallestad did not sign-in for the meeting, but were in attendance).

The individuals were concerned that the personal walkway to the homes and driveways were not designed with pavers. They wanted to make sure these elements would blend with the existing homes features and the applicant was showing walks and drives with concrete. They also were interested to find out if the color schemes offered on the new housing products was comparable to what was currently represented within the community and if detached RV garages or upgraded garage doors would be available. They made comment about the project's landscaping and how they would like it cleaned up. No concerns were brought up about the requested zoning amendment.

The applicant will install paver walks and driveways per the participants' request. The applicant passed around the color schemes to be offered on the new housing products to show those in attendance what color schemes to expect and has also added (1) green BODY color scheme and revised (1) BODY color per Planning comments to assimilate with the current color groups seen in the subdivision. The applicant told the individuals that detached RV Garages would not be offered due to the lot sizes within the community and a lot fit analysis that was completed prior to the meeting to verify this information. The applicant explained that the Garage door styles will be specific to the themed elevations and will have a carriage door feel and/or standard garage windows. All Elevation B (Mediterranean) Garage doors will be revised to add a diagonal design element per Planning comments. Regarding the questions about the landscaping, the applicant explained that the landscaping clean up and maintenance will be taken care of

once the land deal has been finalized and K. Hovnanian Homes takes over the HOA. There are 0 outstanding concerns, issues, or problems that were not addressed.

The applicants' proposal will not be revised to address the public concerns due to the fact that it does not apply to the requested zoning amendment.

Attached –

Exhibit A: Notification Area Map

Exhibit B: Mailing List of individuals within 300' of site

Exhibit C: HOA, Registered Groups, Interested Parties, Additional Notification

Exhibit D: Affidavit of Mailing

Exhibit E: Notification Letter

Exhibit F: Neighborhood Meeting Sign-in Sheet

Appendix A: Complete Mailing List

EXHIBIT A: NOTIFICATION AREA MAP

RECOMMENDED NEIGHBORHOOD NOTIFICATION AREA	
NAME OF REQUEST:	THE RESERVE AT EAGLE HEIGHTS PAD AMENDMENT
LOCATION:	7574 W. Rose Garden Lane
A request to amend the side yard setbacks established in The Reserve at Eagle Heights PAD (Planned Area Development), as approved in ZON05-06. Side yard setbacks would be changed from 10 feet per side to an aggregate of 15 feet, a minimum of 5 feet, and a minimum separation of 15 feet between buildings on adjacent lots.	
ZONING DISTRICT: PAD	COUNCIL DISTRICT: Cholla

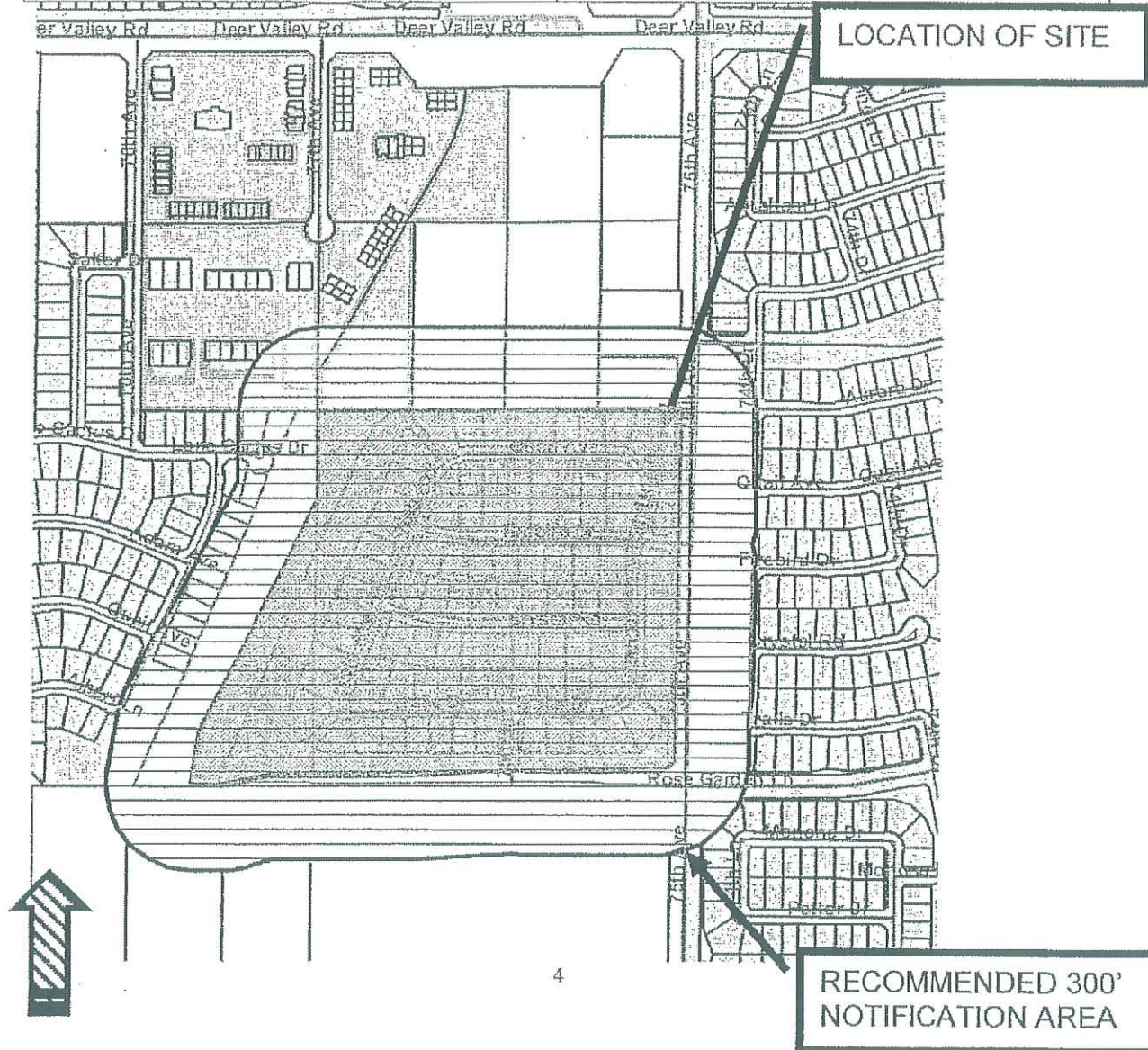


EXHIBIT B: MAILING LIST

Page 1 of 11

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-291

TORREZ DOLORES/JESUS
21110 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-751

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-368

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-328

MULTIPLE LISTING

DIMAS ALFRED
7551 W CRYSTAL RD
GLENDALE, AZ 85308 USA
Parcel: 200-19-297

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-341

MULTIPLE LISTING

MUKUNDANMAHADEVAN FAMILY LIVING TRUST
7596 W TRAILS DR
GLENDALE, AZ 85308 USA
Parcel: 200-19-288

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-371

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-363

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-346

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-320

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-276

BALINT MARIA
7753 W LONE CACTUS DR
PEORIA, AZ 85382 USA
Parcel: 200-19-214

ODISHO CAROLYN
21311 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-205

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-331

COMMUNITY CHURCH OF JOY
21000 N 75TH AVE
GLENDALE, AZ 85308 USA
Parcel: 200-20-006-Q

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-290

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-280

MULTIPLE LISTING

MCCLINE SAMUEL M JR/ELLANITA L F
21066 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-755

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-312

MULTIPLE LISTING

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-373

MULTIPLE LISTING

TABITA LLC
PO BOX 6778
CHANDLER, AZ 85246 USA
Parcel: 200-19-014

CASKEY TROY D/SUSAN N
21060 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-756

GREEN STEVEN D/DEANNA L
21389 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-212

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-329

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-348

MULTIPLE LISTING

FRIERSON JAMES M/GIRARD-FRIERSON TERESA A
21369 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-210

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-343

MULTIPLE LISTING

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-362

MULTIPLE LISTING

LIRA PEDRO JR/CHRISTINE M
20818 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 231-23-560

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-309

MULTIPLE LISTING

ALLOCCA JOSEPH P/PAULA J TR
7572 W TRAILS DR
GLENDALE, AZ 85308 USA
Parcel: 200-19-284

MCNATTY DANNY/ANDREA LYNN
21271 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-199

COMMUNITY CHURCH OF JOY
21000 N 75TH AVE
GLENDALE, AZ 85308 USA
Parcel: 200-20-009

MULTIPLE LISTING

JAMES L CRAMER REVOCABLE LIVING TRUST
PO BOX 7820
SURPRISE, AZ 85374 USA
Parcel: 200-19-354-A

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-361

MULTIPLE LISTING

SAMUEL LLC
PO BOX 6778
CHANDLER, AZ 85246 USA
Parcel: 200-19-004-J

ANDERSON JEFFREY C/SIMMONS KRISTA L
21054 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-757

TAYLOR RANDY L
21128 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-748-A

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-365

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-313

MULTIPLE LISTING

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-370

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-294

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-335

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-317

MULTIPLE LISTING

VARUGHEESE JOE A/PULICKAL JONEY J
21295 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-203

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-351

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-340

MULTIPLE LISTING

MOSSMAN PAUL/FARROW DIANE
21301 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-204

JOHNSON MATTHEW/MALTAIS SHANNON
15046 N 172ND LN
SURPRISE, AZ 85388 USA
Parcel: 200-19-338

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-278

MULTIPLE LISTING

ARROWHEAD RANCH PHASE V HOA
PO BOX 2590
LITCHFIELD PARK, AZ 85340 USA
Parcel: 200-21-843

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-277

MULTIPLE LISTING

BIRD MICHAEL L/THERESA L
21283 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-201

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-367

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-281

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-357

MULTIPLE LISTING

PINNA NANCY J
15010 BOLIVAR DR
SUN CITY, AZ 85351 USA
Parcel: 200-21-754

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-306

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-342

PETERSON CLARE R/SHARON
7482 W FIREBIRD DR
GLENDALE, AZ 85308 USA
Parcel: 200-21-747

ARROWHEAD RANCH PHASE V HOA
PO BOX 2590
LITCHFIELD PARK, AZ 85340 USA
Parcel: 231-23-648

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-326

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-305

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-274

BREESE JAMES W/CHRISTINE L
21379 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-211

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-358

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-285

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-293

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-333

MULTIPLE LISTING

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-374

MULTIPLE LISTING

ABRIL RAY A/SARA A
21078 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-753

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-302

MULTIPLE LISTING

MILES BARRY L JR/TERESA MARIE
7752 W LONE CACTUS DR
PEORIA, AZ 85382 USA
Parcel: 200-19-215

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-298

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-311

HADDEN HENRY M/MICHELLE M TR
7493 W QUAIL AVE
GLENDALE, AZ 85308 USA
Parcel: 200-21-733

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-330

MULTIPLE LISTING

GEORGE SAIRA J/YALTHO TOBY
7950 W TRAILS
GLENDALE, AZ 85308 USA
Parcel: 200-19-287

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-344

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-324

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-321

GIBSON DAVID A/JENNIFER E
7482 W MONONA DR
GLENDALE, AZ 85308 USA
Parcel: 231-23-561

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-349

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-308

ARROWHEAD RANCH PHASE V HOA
PO BOX 2590
LITCHFIELD PARK, AZ 85340 USA
Parcel: 200-21-842

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-283

COOVER KAREN E/SHAWN W TR
21122 N 76TH AVE
GLENDALE, AZ 85308 USA
Parcel: 200-19-339

COLATTUR SHYAM/NANCY
7578 W FIREBIRD
GLENDALE, AZ 85308 USA
Parcel: 200-19-325-A

HADVANI JITENDRAKUMAR N/SHEELA
21210 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-731

PALACIOS MIGUEL A JR
21122 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-749-A

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-299

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-303

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-282

BRISTOL MARK W/GERILYNN
7459 W TRAILS DR
GLENDALE, AZ 85308 USA
Parcel: 200-21-758

KRYZAK ROBERT
11 CRESSWELL DR
BELLA VISTA, AR 72714 USA
Parcel: 200-21-727

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-350

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-366

MULTIPLE LISTING

MULTIPLE LISTING

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-347

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATION
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-369

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-304

WOHLGEMUTH KEVIN R/LEANNA L
21323 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-206

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-314

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-301

JGS DEVELOPMENT LLC
9631 W GAMBIT TRAIL
PEORIA, AZ 85383 USA
Parcel: 200-19-394

HAWKINS VICTOR B/ROBIN L
9151 W HEARN RD
PEORIA, AZ 85381 USA
Parcel: 200-21-725

RAVIKOTIMATAM DAYAKAR/PARVATHI
21277 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-200

ROGERS SCOTT A/PARKS SHERRY D
21289 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-202

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-360

CARMACK MINDI
29052 N 69TH AVE
PEORIA, AZ 85383 USA
Parcel: 200-19-352

RICE MATTHEW W/ANN C
21222 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-729

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-318

MULTIPLE LISTING

MULTIPLE LISTING

MULTIPLE LISTING

MULTIPLE LISTING

MELLECKER RUSSELL
21347 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-208

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-356

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-300

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-359

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-315

MULTIPLE LISTING

FEDERAL HOME LOAN MORTGAGE CORPORATION
4708 MERCANTILE DR NORTH
FORT WORTH, TX 76137 USA
Parcel: 200-21-732

77TH AVENUE RIVER WALK LLC
9631 W GAMBIT TRL
PEORIA, AZ 85383 USA
Parcel: 200-19-455

HAMMAN STEPHEN J/JULIE S
21240 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-726

ROGERS MARISKA
5352 THORNBURN ST
LOS ANGELES, CA 90045 USA
Parcel: 200-20-007

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-292

MULTIPLE LISTING

AROP III LLC
2711 E INDIAN SCHOOL RD STE 201
PHOENIX, AZ 85016 USA
Parcel: 200-19-273-A

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-327

MULTIPLE LISTING

RIVERSTONE ESTATE HOMEOWNERS ASSOCIATION
7740 N 16TH STR STE 300
PHOENIX, AZ 85020 USA
Parcel: 200-19-226

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-336

MULTIPLE LISTING

ARROWHEAD RANCH PHASE V HOA
PO BOX 2590
LITCHFIELD PARK, AZ 85340 USA
Parcel: 200-21-950

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-332

NATIONAL BANK OF ARIZONA
6001 N 24TH ST BLDG B
PHOENIX, AZ 85016 USA
Parcel: 200-19-310

RUSDEN ROBERT T/BONNIE M
21104 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-752

LIM JEREMIAH/SHIRLEY
21335 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-207

BLAIS PROPERTIES LLC
21910 N 79TH AVE
PEORIA, AZ 85383 USA
Parcel: 200-19-004-P

CARMACK MINDY
29052 N 69TH AVE
PEORIA, AZ 85383 USA
Parcel: 200-19-353

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-345

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-296

CORTEZ JOHN M
21216 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-730

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-337

MILLIMAN AARON M/MICHELLE S
21359 N 77TH LN
PEORIA, AZ 85382 USA
Parcel: 200-19-209

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-372

RIVERSTONE ESTATE HOMEOWNERS ASSOCIATION
7740 N 16TH STR STE 300
PHOENIX, AZ 85020 USA
Parcel: 200-19-225

} MULTIPLE LISTING

} MULTIPLE LISTING

} MULTIPLE LISTING

} MULTIPLE LISTING

} MULTIPLE LISTING

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-323

MULTIPLE LISTING

WEPLER GREGORY C
21116 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-750

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-279

MULTIPLE LISTING

WORK FIRST CASUALTY COMPANY
2636 BIEHN ST
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-334

BILLINGS JED S/MARIE D TR
11398 E DESERT VISTA
SCOTTSDALE, AZ 85255 USA
Parcel: 200-19-286

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-295

MULTIPLE LISTING

KALLESTAD WALTHER P/MARY
7596 W FIREBIRD DR
GLENDALE, AZ 85308 USA
Parcel: 200-19-322

THOMAS TIMOTHY/BARBARA JOAN TR
21228 N 74TH LN
GLENDALE, AZ 85308 USA
Parcel: 200-21-728

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-289

RESERVE AT EAGLE HEIGHTS HOMEOWNERS ASSOCIATI
6831 E 5TH AVE 1ST FLR
SCOTTSDALE, AZ 85251 USA
Parcel: 200-19-364

MULTIPLE LISTING

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-275

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-316

SOUTHWEST DEVELOPMENT LLC
3250 LAKEPORT
KLAMATH FALLS, OR 97601 USA
Parcel: 200-19-307

COMMUNITY CHURCH OF JOY
21000 N 75TH AVE
GLENDALE, AZ 85308 USA
Parcel: 200-19-011

EXHIBIT C: HOA/REGISTERED GROUPS, INTERESTED PARTIES, ADDITIONAL
NOTIFICATION



**CITIZEN PARTICIPATION
NEIGHBORHOOD NOTIFICATION**

A NOTIFICATION MEETING IS RECOMMENDED (see sample on page 3)

Draft a letter outlining your proposed project. Submit the letter to your planner for approval.
DO NOT MAIL out your letter until you have received approval.

Upon approval of your notification letter, send to the following:

- a) Property owners located within the notification area outlined on the attached **Notification Area Map** (see page 4). When creating mailing labels for areas outlined on the map, use the format shown on the attached "Sample Property Owner List with Parcel Number and Sample Parcel Map" (see page 5). Property owner information can be obtained from the County Assessor's Office, the County Assessor's website (<http://www.maricopa.gov/Assessor/GIS/Map.html>), or a Title Company.

- b) **Glendale Homeowners Associations and Registered Neighborhood Groups:**

Arrowhead Ranch Phase V

Carey Crabbs
6782 West Rose Garden Lane
Glendale, AZ 85308

Steve Hinderland
20920 North 67th Drive
Glendale, AZ 85308

Patricia Fleming
6963 West Monona
Glendale, AZ 85308

- c) **Interested Parties List:**

Notify individuals on the Cholla District and City Wide interested parties list. **This list will be provided to you by your planner upon approval of your project notification letter.**

- d) **Additional Notification List:**

City of Glendale Mayor's Office
Mayor Scruggs
5850 W. Glendale Avenue
Glendale, AZ 85301

Glendale City Council Office
Council member Martinez
5850 W. Glendale Avenue
Glendale, AZ 85301

Karen Stovall, Senior Planner
Planning Department
5850 W. Glendale Ave., Suite 212
Glendale, AZ 85301

Diana Figueroa, Senior Secretary
Planning Department
5850 W. Glendale Ave, Suite 212
Glendale, AZ 85301

An Affidavit of Mailing must be submitted upon approval of your letter (see page 6).



Planning Department

NEIGHBORHOOD NOTIFICATION LETTER

AFFIDAVIT OF MAILING

Case No. (if available) ZON11-02

Project Name: THE RESERVE AT EAGLE HEIGHTS

I, KIRSTEN HOWE certify that I am the authorized applicant / representative to the City of Glendale for the above application, and do hereby affirm that notice as required for the case noted above has been completed in accordance with the Citizen Participation Process in the City of Glendale's Zoning Ordinance, and a copy of the letter and mailing labels has also been submitted.

Applicant/Representative Signature

STATE OF ARIZONA

SS.

COUNTY OF MARICOPA



LANITA UGSTAD
Notary Public—Arizona
Pima County
Expires 01/31/2013

The foregoing instrument was acknowledged before me this 13th day of April, 2011.

My Commission Expires:

1/31/2013

Notary Public

EXHIBIT E: NOTIFICATION
LETTER



April 13, 2011

Michael Fulmer and Kirsten Howe
20830 N. Tatum Blvd. #250
Phoenix, AZ 85050
mfulmer@khov.com
khowe@khov.com

Subject: The Reserve at Eagle Heights PAD Amendment – ZON11-02

Dear Neighbor:

This letter is to inform you that we are applying for a rezoning application with the City of Glendale. The property is located at 7574 W. Rose Garden Lane in the Cholla District.

K. Hovnanian Homes is requesting to amend the side yard setbacks established in The Reserve at Eagle Heights Planned Area Development (PAD), as approved in rezoning application ZON05-06. Side yard setbacks would be changed from a minimum of 10' per side to an aggregate of 15', a minimum of 6', and a minimum separation of 15' between buildings on adjacent lots.

K. Hovnanian Homes, the sixth largest builder in the nation, would like to introduce you to our company as well as to our beautiful Regency Collection of luxury homes that we plan on building within The Reserve at Eagle Heights community. The Regency Collection, which will consist of five single story floor plans ranging from 2,800 to 4,000 square feet, will be available on lots 1-8, 12, 16-23, 25-36, 38-45, 47-48, 50-51, 53-64, 67-76, 80-84 within The Reserve at Eagle Heights. The all single story line-up of homes are designed to compliment the existing architecture seen throughout the neighborhood.

We have included a site plan with this letter for your review. A neighborhood meeting will take place Monday, April 25th at 6:00pm located at The Reserve at Eagle Heights Model Home (7560 West Trails Drive, Glendale, AZ 85308). Comments and questions will be accepted at this time. If you are unable to attend, please write, email, or call us at the contact information above. You may also contact Karen Stovall with the City of Glendale Planning Department at 623-930-2553.

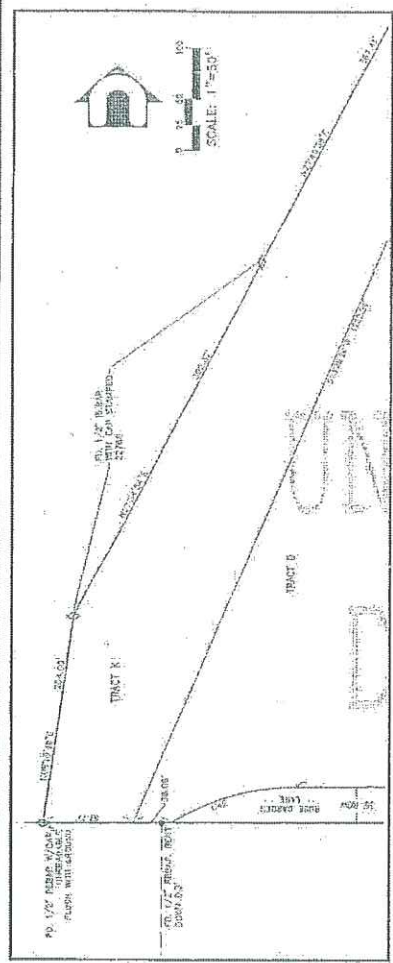
Sincerely,

Handwritten signatures of Michael Fulmer and Kirsten Howe in black ink.

Michael Fulmer and Kirsten Howe
K. Hovnanian Homes
480-824-4200



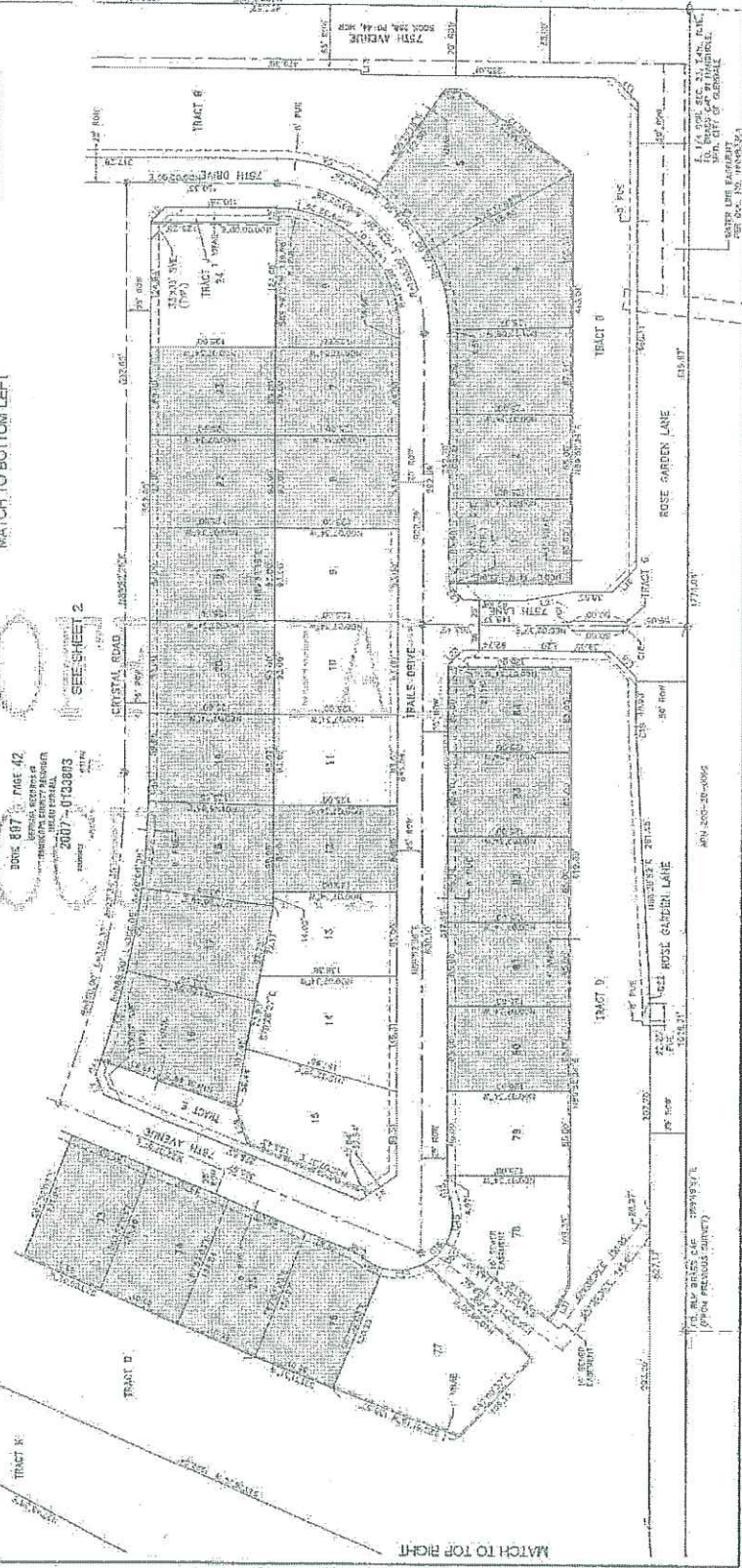
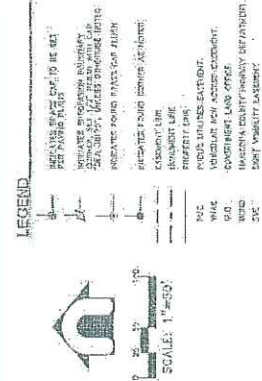
DAVID EVANG
AND ASSOCIATES INC.
2141 JEFFERSON AVE. (N)
PHILADELPHIA 20 PA

[illegible]

MATCH TO BOTTOM LEFT

SEE SHEET 2

2007-013383
 2007-013383
 2007-013383



NOTES

ATCH TO TOP RIGHT

1000

31.15.64: 307 25th Ave "D"

EXHIBIT F: SIGN-IN SHEET

THE RESERVE AT
Eagle Heights

Toby Yalthe 7590 W. Trails Drive 85308
(210) 473-4151
tyalthe@hotmail.com

SWARAS SINGH 7577 W Firebird Dr.
(602) 885 9193
swaray'singh@gmail.com.

Karen & Shawn Coover 21122 N. 7th Ave
(623) 244-0444
swcoover@gmail.com

Paula & Joe Allocca 7572 W Trails DR
Glendale, AZ 85308
Manny Diabate 1850 W Glendale Ave
Glendale 85301

Stovall, Karen

From: Coover, Shawn (AZ16) [Shawn.Coover@honeywell.com]
Sent: Tuesday, May 17, 2011 9:31 AM
To: Stovall, Karen
Subject: Case Number ZON11-02

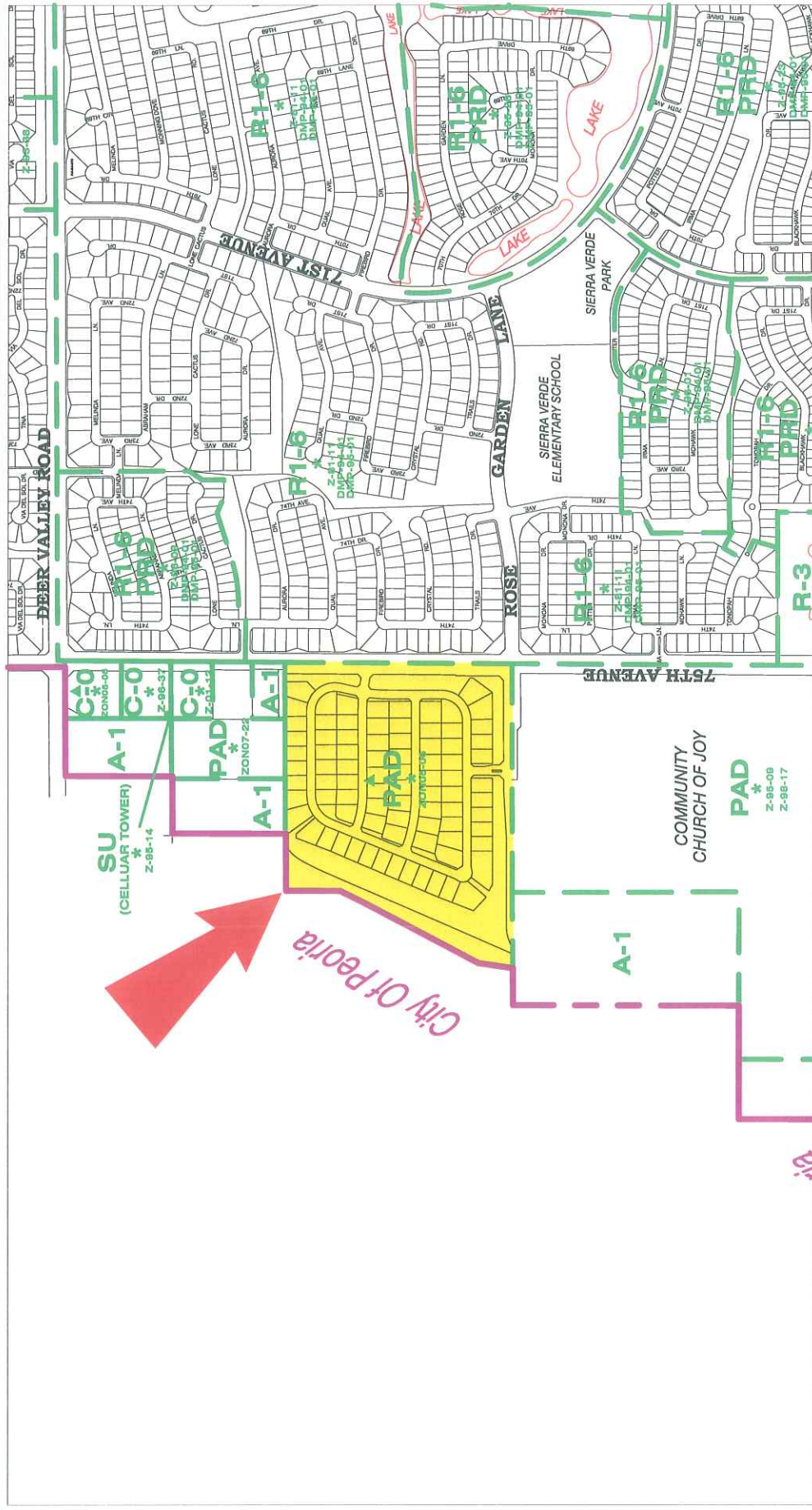
Hi Karen,

I will not be attending the Planning Commission meeting for Case Number ZON11-02 (K Hovnanian proposed amendment of development standards) on June 2, 2011 but I did want to provide input on the case.

My wife and I were the first occupants of the Reserve at Eagle Height neighborhood nearly 4 years ago. We have reviewed the changes that K Hovnanian is proposing to the development standards and we strongly support the changes. We are very impressed with the K Hovnanian team and firmly believe that they will do a wonderful job reinvigorating the development and insuring it's build out.

Regards,

Shawn Coover
21122 N 76th Ave
Glendale, AZ 85305
602-738-2093 (cell)



CASE NUMBER

ZON11-02

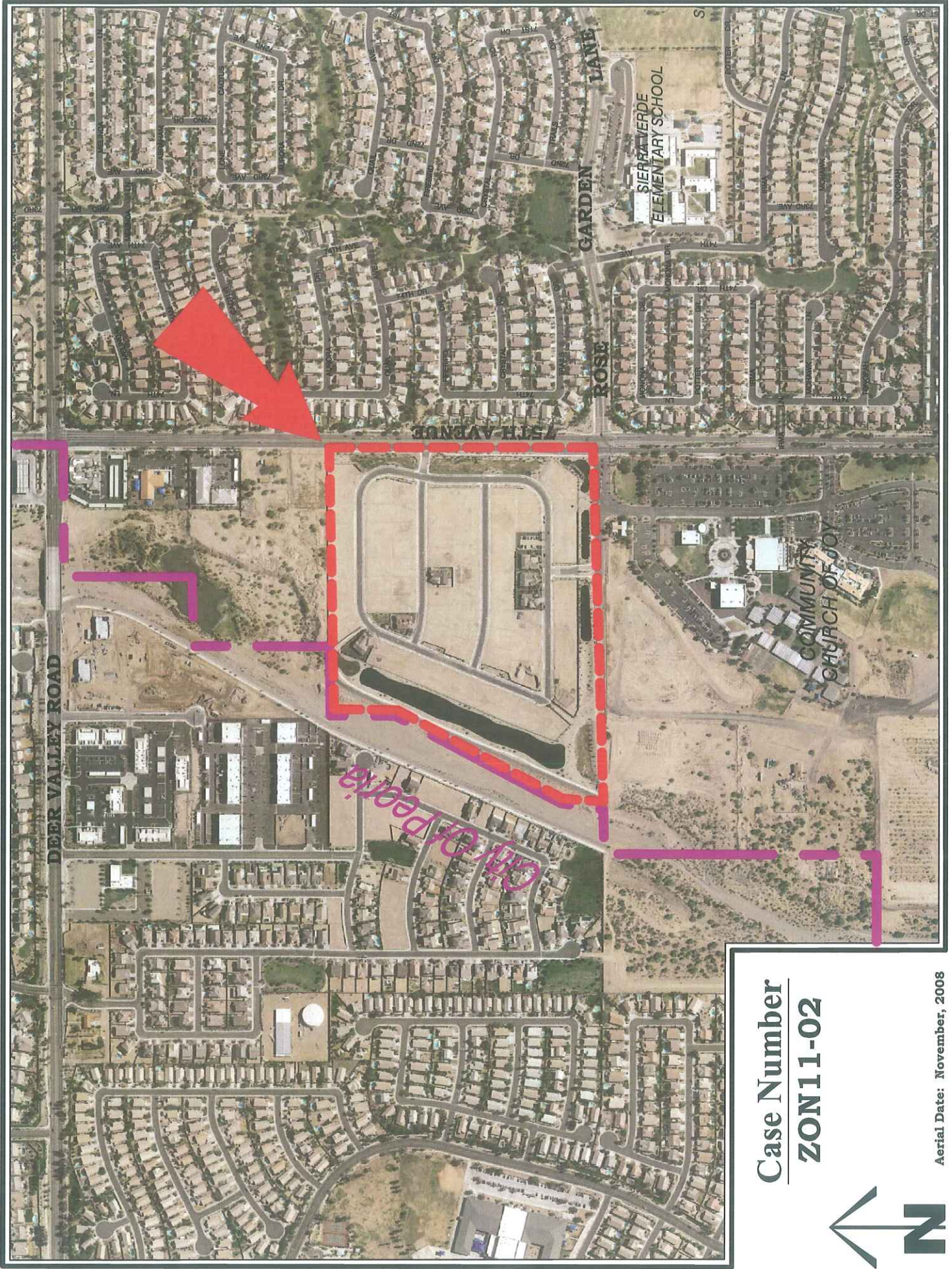


LOCATION

7574 W. ROSE GARDEN LANE

REQUEST

**AMEND THE SIDE YARD SETBACKS
ESTABLISHED IN THE RESERVE AT
EAGLE HEIGHTS PAD (PLANNED
AREA DEVELOPMENT) AS
APPROVED IN ZON05-06.**



Case Number
ZON11-02



Aerial Date: November, 2008



Planning Commission Staff Report

DATE: June 2, 2011 **AGENDA ITEM:** 4

TO: Planning Commission

FROM: Tabitha Perry, Principal Planner
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **FISCAL YEAR 2011-2012 OF THE FISCAL YEAR 2012-2021 PRELIMINARY CAPITAL IMPROVEMENT PLAN**

REQUEST: To determine if the Fiscal Year 2011-2012 (FY12) of the Fiscal Year 2012-2021 (FY21) Preliminary Capital Improvement Plan (CIP) conforms to the General Plan.

REQUIRED ACTION: Report to the City Council that FY12 of the FY21 CIP is in conformance with the General Plan.

RECOMMENDATION: Indicate that FY12 of the FY21 CIP is in conformance with Glendale's General Plan.

PROPOSED MOTION: Move to report to the City Council indicating that the Commission believes that the FY12 of the FY21 CIP is in conformance with the General Plan.

SUMMARY: In accordance with Arizona Revised Statutes (A.R.S.) § 9-461.07.B, an annual review of the ensuing year is required to ensure consistency with the City Council strategic goals, objectives and priorities; the General Plan; intergovernmental agreements and on-going projects in the community. The Pre-CIP is the primary tool to implement the public portions of the General Plan.

In the city of Glendale, the Planning Commission is the designated agency for this review.

COMMISSION ACTION: A Motion was made by Commissioner ____ and Seconded by Commissioner ____ to report to the City Council indicating the Planning Commission believes that the Fiscal Year 2012 Preliminary CIP of the Fiscal Year 2012-2021 Preliminary CIP is consistent with the General Plan. The Motion passed _ to _.

DETAILS OF REQUEST:

The ten year CIP is updated annually to ensure consistency with the City Council strategic goals, objectives and priorities, the General Plan, intergovernmental agreements, and on-going projects in the community. The CIP is the primary tool to implement the public portions of the General Plan.

The Planning Commission is required by A.R.S. § 9-461.07.B to review the ensuing year, FY12, of the FY21 Preliminary CIP to determine if the projects are in conformance with the adopted General Plan. This is the only responsibility the Planning Commission has in the CIP process. The following is a comprehensive analysis by the Planning Department to determine conformance with the FY12 list of proposed capital improvement projects with the goals and objectives of the General Plan. The staff analysis is organized into 11 capital improvement categories in the FY21 CIP.

STAFF FINDINGS AND ANALYSIS OF THE FY12 CIP:

1. Water and Sewer

- System upgrades and improvements
- System expansion
- System replacements
- Facilities improvements and expansion
- Additional water recharge capacity
- Fire hydrant replacement

These projects implement the following goals and objectives of the General Plan:

Land Use Element

Goal 2:

Promote sound growth management methods.

Objective c:

Ensure that sufficient infrastructure is in place.

Public Services and Facilities Element

Goal 1:

Establish municipal assets as the framework of land use and economic development.

Objective a:

Plan for growth while being mindful of the infrastructure capacity with special consideration to residents' health and safety, and public utility capacity.

Goal 2:

Locate and design public facilities to enhance growth areas.

Conservation of Resources Element

Goal 1:

Assure effective use of resources.

Objective b:

Use reclaimed/recycled water for a variety of applications including groundwater recharge, golf courses, fountains, parks, and landscaping.

Objective d:

Conserve the City's water resources with comprehensive conservation programs for residential, business, and industrial water users.

Cost of Development Element

Goal 1:

Recapture the cost of improvement/additions to public facilities and infrastructure necessitated by development.

Objective c:

Provide for the financial coverage of ongoing maintenance and operating costs.

Environmental Planning Element

Goal 1:

Use natural resources wisely by implementing responsible stewardship.

Objective b:

Conserve the city's water resources.

Water Resources Element

Goal 1:

Develop a Master Water Resources Plan for future water supply and quality.

Objective a:

Provide residents and businesses with a safe and healthy water supply and keep water safe by protecting against deterioration of water quality.

Goal 2:

Encourage water conservation to maintain adequate groundwater reserves and promote conservation measures that provide beneficial reduction in water use.

Objective a:

Observe direct/indirect methods of reclaimed water use including application in parks, golf course and landscaped areas, and through groundwater recharge.

Objective b:

Continue groundwater recharge projects.

Objective d:

Implement cost-effective water conservation programs to reduce capital investment in distribution systems and treatment plants through reduction in water demands.

Goal 4:

Provide a dependable and sustainable water supply at a reasonable cost to City customers.

Objective a:

Maintain a water resources supply portfolio sufficient to meet current and anticipated demands.

Objective b:

Obtain and develop additional water supplies, when and as appropriate.

Objective d:

Design, construct, manage, and operate water and wastewater systems to keep services affordable to customers.

Objective e:

Require that new development pay its fair share for water system improvements.

2. Transportation and Streets

- Northern Parkway
- Pavement Maintenance
- Bus and van replacements
- Transit improvements and support
- Engineering and design services
- Rail system
- Grant appropriation capital
- Safety Program expanded

These projects implement the following goals and objectives of the General Plan:

Circulation Element

Goal 1:

Provide mobility with safe, cost effective transportation systems.

Objective a:

Implement safety programs and provide transportation services in accordance with all safety standards.

Goal 2:

Support alternative mode of travel.

Objective a:

Operate multimodal transit system including bus, light rail, and dial-a-ride service.

Goal 5:

Utilize the transportation system to foster a strong economy.

Objective b:

Enhance road and transit systems to reduce congestion and provide access to employment sites.

Goal 6:

Ensure regional connectivity.

Objective b:

Plan for adequate capacities in all transportation systems to meet demand and avoid bottlenecks.

Public Services and Facilities Element

Goal 1:

Establish municipal assets as the framework for land use and economic development.

Objective b:

Focus on street and intersection improvements to facilitate the smooth flow of traffic and improve accessibility.

Goal 2:

Locate and design public facilities to enhance growth areas.

Goal 3:

Plan activities to serve all ages and interests.

Objective a:

Provide transportation for elderly, people with special needs and children.

Economic Development Element

Goal 2:

Encourage business growth for in-City job opportunities.

Objective a:

Reduce commuting time, distance and expense in concert with citizen-supported transportation planning.

Safety Element

Goal 3:

Focus on traffic safety improvements.

Objective a:

Reduce accident potential at high traffic intersections.

Objective b:

Improve safety for automotive, bicycle, and pedestrian traffic on, and adjacent to, Grand Avenue.

Cost of Development Element

Goal 1:

Recapture the cost of improvement/additions to public facilities and infrastructure necessitated by development.

Objective c:

Provide for the financial coverage of ongoing maintenance and operating costs.

Growth Areas Element

Goal 2:

Identify specific locations and provide infrastructure for growth nodes.

Objective d:

Utilize public and private infrastructure placement to bring growth to preferred locations.

3. Citywide Open Spaces

- Discovery Park amenities and improvements
- Pasadena Park amenities and improvements
- Thunderbird Paseo Linear Park Additions
- Thunderbird Park Kiosks

These projects implement the following goals and objectives of the General Plan:

Public Services and Facilities Element

Goal 2:

Locate and design public facilities to enhance growth areas.

Objective a:

Site parks and recreation venues strategically to connect neighborhoods and enhance stability.

Recreation Element

Goal 1:

Provide an equitable distribution of park and recreation amenities.

Objective b:

Improve the quality of existing parks with updated, well-maintained equipment and grounds.

4. Libraries

- Library books, population growth.

This project implements the following goals and objectives of the General Plan:

Public Buildings Element

Goal 1:

Locate public buildings conveniently for citizen accessibility.

Objective d:

Plan for expansion of schools, libraries, airport, and other facilities.

5. Public Safety

- Upgrade digital communication system (Police)

These projects implement the following goals and objectives of the General Plan:

Safety Element

Goal 1:

Maintain proper staffing ratio for police, fire and emergency personnel in relation to Glendale population.

Objective b:

Construct facilities and purchase equipment to enable high staff levels to render excellent service.

Objective c:

Lower response time to 9-1-1 calls.

6. Sanitation/Landfill

- Replacement of existing trucks
- Replacement of existing landfill equipment

This project implements the following goals and objectives of the General Plan:

Fiscal Element

Goal 1:

Stress financial responsibility and accountability in Glendale's General Plan implementing investments.

Objective c:

Invest in revenue-producing functions, such as Municipal Airport facilities.

Conservation and Resource Element

Goal 1:

Ensure effective use of resources.

Objective c:

Focus on recycling and maximizing existing landfill capacity through waste reduction programs.

Cost of Development Element

Goal 1:

Recapture the cost of improvement/additions to public facilities and infrastructure necessitated by development.

Objective c:

Provide for the financial coverage of ongoing maintenance and operating costs.

Environmental Planning Element

Goal 1:

Use natural resources wisely by implementing responsible stewardship.

Objective d:

Focus on recycling, solid waste reduction programs, and proper disposal of hazardous wastes.

7. Municipal Airport

- Airport Pavement Maintenance
- Airport Remove Blast Fence
- Runway Land Purchase
- Airport Capacity Study
- Repayment to state aviation

These projects implement the following goals and objectives of the General Plan:

Land Use Element

Goal 3:

Create transition and buffer areas.

Objective c:

Protect space at the end of Municipal Airport runways for safety and noise attenuation.

Circulation Element

Goal 5:

Utilize the transportation improvement to foster a strong economy.

Objective a:

Support transportation improvements for economic development such as expanding aviation facilities, accommodating rail and truck movements.

Public Services and Facilities Element

Goal 2:

Locate and design public facilities to enhance growth areas.

Objective c:

Expand Glendale Municipal Airport to increase opportunities for utilization.

Fiscal Element

Goal 1:

Stress financial responsibility and accountability in Glendale's General Plan implementing investments.

Objective c:

Invest in revenue-producing functions, such as Municipal Airport facilities.

Public Buildings Element

Goal 1:

Locate public buildings conveniently for citizen accessibility.

Objective d:

Plan for expansion room at schools, libraries, airport and other facilities.

Economic Development Element

Goal 4:

Sustain aviation activities.

Objective a:

Enlarge the Municipal Airport to accommodate larger numbers and sizes of general aviation aircraft.

Recreation Element

Goal 1: Provide an equitable distribution of park and recreation amenities.

Objective e:

Promote use of Municipal Airport environs for recreation opportunities in addition to business uses.

Safety Element

Goal 4:

Develop programs to maintain and improve aviation safety.

Growth Areas Element

Goal 2:

Identify specific locations and provide infrastructure for growth nodes.

Objective c:

Provide support for Municipal Airport economic development to enhance Western Area Plan growth and gain return on City investment.

8. Cultural/Historic

- Arts Commission.

This project implements the following goals and objectives of the General Plan:

Public Services and Facilities Element

Goal 1:

Establish municipal assets as the framework for land use and economic development.

Objective e:

Develop identifiable community themes in City Center facilities to foster visual continuity.

Public Building Element

Goal 2:

Design for aesthetics as well as functionality.

Recreation Element

Goal 1:

Provide an equitable distribution of park and recreation amenities.

Objective a:

Add value to surrounding land uses through well-maintained amenities that serve to enhance the quality of life.

9. Flood Control

- AZDES permit.

This project implements the following goals and objectives of the General Plan:

Conservation and Resources Element

Goal 3:

Protect and improve the quality of storm water runoff and reduce erosion.

Objective a:

Comply with the federal and state storm water management requirements.

Objective b:

Continue municipal requirements that prevent and mitigate soil erosion and storm water pollution.

Objective c:

Ensure storm water discharge compliance.

10. Civic Center

- Civic Center Restoration
- Civic Center Maintenance Reserve

This project implements the following goals and objectives of the General Plan:

Public Services and Facilities Element

Goal 1:

Establish municipal assets as the framework for land use and economic development.

Objective e:

Develop identifiable community themes in City Center facilities to foster visual continuity.

Goal 2:

Locate and design public facilities to enhance growth areas.

Objective b:

Carefully consider convenience when placing community gathering spots.

Public Buildings Element

Goal 1:

Locate public buildings conveniently for citizen accessibility.

Objective d:

Plan for expansion of schools, libraries, airport, and other facilities.

Cost of Development Element

Goal 1:

Recapture the cost of improvements/additions to public facilities and infrastructure necessitated by development.

Objective c:

Provide for the financial coverage of ongoing maintenance and operating costs.

11. Other Capital Projects

- CIP Grant reserve appropriation
- Building Maintenance reserve

These projects implement the following goals and objectives of the General Plan:

Public Services and Facilities Element

Goal 1:

Establish municipal assets as the framework for land use and economic development.

Objective a:

Plan for growth while being mindful of infrastructure capacity with specific consideration to residents' health and safety, and public utility capacities

Fiscal Element

Goal 1:

Stress financial responsibility and accountability in Glendale's General Plan implementing investments.

Objective b:

Pay attention to City budgets, differentiating CIP allotments for ease in evaluating Plan-related investments.

Goal 3:

Explore economic development incentives, prospects for new funding sources and citizen assistance programs.

Objective a:

Seek, but don't rely upon, Federal and State matching funds if and when they are available.

Objective c:

Continue neighborhood grant program as City resources permit.

Public Buildings Element

Goal 2:

Design for aesthetics as well as functionality.

Objective b:

Allow for technological change, retrofitting of public facilities.

Goal 3:

Consider joint- and/or multiple use opportunities.

Objective b:

Design and build structures adaptable to a variety of functions.

Conservation of Resources Element

Goal 1:

Assure effective use of resources.

Objective a:

Prevent leakage and waste at all City facilities through accountability checks and responsible management.

Goal 2:

Promote and practice energy conservation.

Objective b:

Implement energy conserving designs when planning new or renovating existing City facilities.

Cost of Development Element

Goal 1:

Recapture the cost of improvements/additions to public facilities and infrastructure necessitated by development.

Objective c:


Provide for the financial coverage of ongoing maintenance and operating costs.

PROJECT MANAGER: Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:


Planning Director

TR/df


Deputy City Manager